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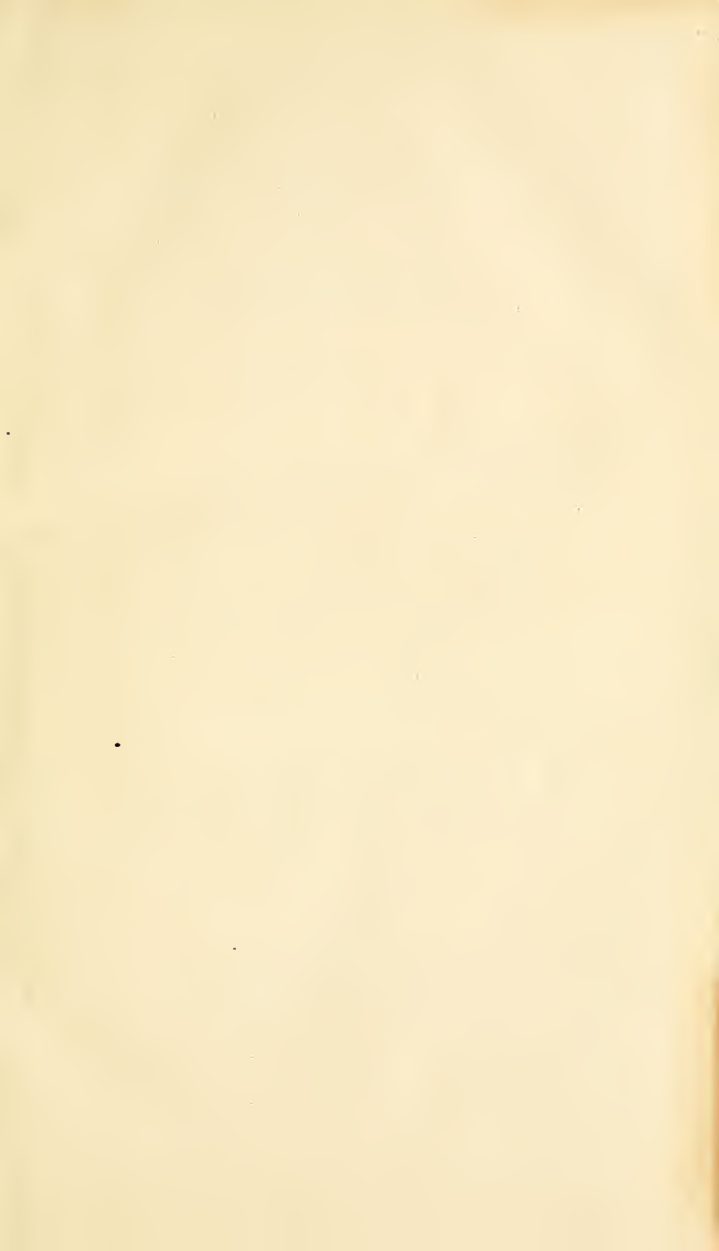
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JOURNAL
OF THE
VOTES & PROCEEDINGS
OF THE
CONVENTION
OF
New-Jersey.

BEGUN AT BURLINGTON THE TENTH OF JUNE 1776, AND THENCE CONTINUED BY
ADJOURNMENT AT TRENTON AND NEW-BRUNSWICK, TO THE TWENTY-FIRST OF
AUGUST FOLLOWING.

TO WHICH IS ANNEXED,
SUNDRY ORDINANCES, AND THE
CONSTITUTION.

PUBLISHED BY ORDER.

BURLINGTON:
PRINTED AND SOLD BY ISAAC COLLINS,
M.DCC.LXXVI.

TRENTON:
REPRINTED BY ORDER.
JOSEPH JUSTICE, PRINTER.

1831.

McClellan
Johnson

Handwritten text in a vertical column on the left side of the page, possibly in a script like Devanagari. The text is partially obscured by a dark, irregular mark near the bottom left.

JOURNAL, &c.

NAMES OF THE DEPUTIES.

BERGEN.

John Demarest, Jacobus Post, John Van Boskirk, Jacob Quackenbush, Daniel Isaac Brown.

ESSEX.

+ Stephen Crane, Abraham Clark, Lewis Ogden, Caleb Camp, Robert Drummond.

MORRIS.

Silas Condict, Jacob Drake, Ellis Cook, William Woodhull, Jacob Green.

SUSSEX.

Ephraim Martin, Caspar Shaver, Thomas Potts, Isaac Van Campen, John Cleves Symmes.

SOMERSET.

Frederick Frelinghuysen, William Paterson, John Wither-
+ spoon, Jacob R. Hardenbergh, James Linn.†

MIDDLESEX.

Moses Bloomfield, John Wetherill, John Dunn, Jonathan D.
+ Sergeant, John Combs.

MONMOUTH.

Edward Taylor, John Covenhoven, Joseph Holmes, James
+ Mott, Josiah Holmes.

HUNTERDON.

Philemon Dickenson, John Allen, Samuel Tucker, John Hart,
John Mehelm.

BURLINGTON.

Peter Tallman, Thomas Reynolds, Thomas Fennimore, Charles Read, Caleb Shreve.

GLOUCESTER.

John Sparks, John Cooper, Elijah Clark, Joseph Hugg, Joseph
Ellis.

SALEM.

Andrew Sinnickson, John Holme, Joseph Shinn, Whitten
Crips, Samuel Dick.

CUMBERLAND.

Theophilus Elmer, Jonathan Ayers, Ephraim Harris, John²
Buck, Jonathan Bowen.

CAPE MAY.

Elijah Hughs, Jesse Hand, Thomas Leaming, jun. Joseph
Savage, Hugh Hathorn.

BURLINGTON, MONDAY, JUNE 10, 1776.

THE Provincial Congress of New-Jersey, being appointed to meet this day at Burlington, a number of the Members met accordingly; but not being a sufficient number to proceed upon business, adjourned till to-morrow morning ten o'clock.

TUESDAY, June 11, ten o'clock, A. M.

A sufficient number of Members not being yet come to town, adjourned to three o'clock, afternoon.

The Members present met according to adjournment, and a sufficient number attending, the certificates of their elections were produced and read.

Adjourned to six o'clock, afternoon.

Met according to adjournment, and proceeded to the election of a President and Secretary, when Samuel Tucker, Esquire, was, by a plurality of votes, chosen President, (the votes being taken by ballot) and William Paterson, Esquire, was unanimously chosen Secretary.

The Rev. Doctor Witherspoon opened the Congress with prayer.

Upon motion,

Resolved, unanimously, That the doors of the Congress be kept shut, and the debates and proceedings be kept secret; except in those cases wherein the Congress order otherwise.

The President laid before the Congress a letter from the Honourable John Hancock, Esquire, President of the Continental Congress, together with a number of resolutions, which are as follow:

“ IN CONGRESS, June 1, 1776.

“ Resolved, That six thousand militia be employed to reinforce the army in Canada, and to keep up the communication with that province; and, to make up that number,

Resolved, That the Colony of Massachusetts-Bay be requested to supply of their militia, 3,000 four battali.

Connecticut, of their militia, 1,500 two ditto.

New-Hampshire, of their militia, 750 one ditto.

New-York, of their militia, 750 one ditto.

June 3, 1776.

Resolved, That the General be empowered to employ in Canada a number of Indians, not exceeding two thousand.

That thirteen thousand eight hundred militia be employed to reinforce the army at New-York ; to complete which number,

<i>Resolved</i> , That the Colony of Massachusetts-Bay be requested to furnish of their militia, -	-	2,000
Connecticut, of their militia, -	-	5,500
New-York, of their militia, -	-	3,000
New-Jersey, of their militia, -	-	3,300

Resolved, As the opinion of this Congress, that the eleven battalions raised and ordered to be raised for the protection of the New England Colonies are sufficient.

Resolved, That a flying camp be immediately established in the middle Colonies, and that it consist of ten thousand men ; to make up which number,

<i>Resolved</i> , That the Colony of Pennsylvania be requested to furnish of their militia, -	-	6,000
Maryland, of their militia, -	-	3,400
Delaware Government, of theirs, -	-	600

That the militias be engaged to the first day of December next, unless sooner discharged by Congress.

That the pay of the militias commence from the day of their marching from home; and that they be allowed one penny a mile, lawful money, in lieu of rations for travelling expenses, and one day's pay for every twenty miles between home and the general rendezvous going and returning.

That two provincial Brigadiers-General be employed in the Canada department; one from Massachusetts-Bay, and one from Connecticut.

That four provincial Brigadiers-General be employed in the New-York department; one from Massachusetts-Bay, one from Connecticut, one from New-York, and one from New-Jersey.

That three provincial Brigadiers-General be employed for the flying camp; two from Pennsylvania, and one from Maryland.

That the said Brigadiers-General be appointed by the respective Colonies above mentioned.

Resolved, That it be earnestly recommended to the Assemblies, Conventions, and Committees of Safety, in the United Colonies, to fall upon the most effectual means for removing the stocks, grain, and meal, from such parts of their respective Colonies as are invaded, or are in imminent danger of being invaded by the enemy.

That the General Assembly of the Colony of Massachusetts-Bay, the Governor and Assembly of Connecticut, the Conventions of New-York and New-Jersey, and the Conventions of such other of the United Colonies, in which there are any

lead mines, be requested to transmit to Congress, with all convenient dispatch, the state and condition of the lead mines in their respective Colonies, and use the most speedy means to procure their being wrought to effect.

Extract from the Minutes.

CHA. THOMSON, *Sec.*"

"June 4, 1776.

Resolved, That it be recommended to the Assemblies and Conventions of the Colonies requested to supply or furnish militias by the resolutions of yesterday, to take particular care that their militias come provided with arms, accoutrements, and camp-kettles.

By order of Congress.

JOHN HANCOCK, *President.*"

A letter was also laid before the Congress from his Excellency General Washington, earnestly recommending that the above resolutions respecting the militia of New-Jersey be immediately carried into effect; whereupon,

Ordered, That Mr. Dickenson, Mr. Sergeant, Mr. Clark, Mr. Freelinghuysen, Mr. Mehlem, Mr. Ellis, Mr. Elmer, Mr. Cook, and Mr. Covenhoven, be a Committee to devise ways and means for carrying the said resolutions into immediate effect.

Adjourned till to-morrow morning, eight o'clock.

WEDNESDAY, June 12.

Met according to adjournment, and opened with prayer, pursuant to the standing order of the House.

Resolved, unanimously, That in all divisions upon any question, if any Member move to insert the yeas and nays on the Minutes, and is seconded, the same shall be inserted.

On motion,

That not less than two-thirds of the deputies of this Congress be a quorum or body sufficient to do business; the same was carried in the negative as follows :

YEAS.

Mr. Drummond,	Mr. Covenhoven,	Mr. Demarest,
Mr. Allen,	Mr. Holmes,	Mr. Post,
Mr. Hart,	Mr. Mott,	Mr. Van Boskirk
Mr. Dickenson,	Mr. Sparks,	Mr. Quackenbush
Mr. Taylor,	Mr. Cooper,	

NAYS.

Mr. Abrah'm Clark,	Mr. Cook,	Mr. Green,
Mr. Condict,	Mr. Woodhull,	Mr. Freelinghuysen,

Mr. Paterson,	Mr. Ayers,	Mr. Sergeant,
Dr. Witherspoon,	Mr. Harris,	Mr. Combs,
Mr. Hardenbergh,	Mr. Bowen,	Mr. Martin,
Mr. Mehelm,	Mr. Hughes,	Mr. Shaver,
Mr. Josiah Holmes,	Mr. Hand,	Mr. Potts,
Mr. Elijah Clark,	Mr. Leaming,	Mr. Van Campen,
Mr. Hugg,	Mr. Savage,	Mr. Symmes,
Mr. Ellis,	Mr. Hathorn,	Mr. Sinnickson.
Mr. Elmer,	Dr. Bloomfield,	

Resolved, That a majority of the members elected be always a quorum sufficient to transact any business.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

A letter, from the Honourable President Hancock, was read, inclosing a resolution of the Continental Congress of the 11th instant, and urging to dispatch in forwarding the militia.

Richard Smith, esquire, one of the delegates, for this colony, in the Continental Congress, asking leave to resign his seat there on account of indisposition ;

Ordered, That his resignation be accepted.

A memorial from Azariah Dunham, Esquire, requesting the appointment of commissary and paymaster to the troops about to be raised in this colony for the continental service ; was read, and ordered a second reading.

A memorial from the commissioners of the western division respecting the procuring tents, &c. was read, and ordered a second reading.

A letter from the Honourable Edmund Pendleton, Esquire, president of the convention of Virginia, inclosing the resolutions of the said convention respecting the independence of these colonies ; read, and ordered to be filed.

A letter from the provincial congress of New York, respecting a defection in Bergen county in this colony, together with some affidavits respecting the same ; were read, and ordered to be filed.

A letter from colonel David Brearley, of the county of Monmouth, complaining of sundry disaffected persons in his regiment ; read, and ordered a second reading.

Resolved, That Dr. Roan be requested to attend the western company of artillery ; and that this Congress will defray the expense of such attendance.

Two petitions from sundry inhabitants of Burlington county, setting forth, that for certain reasons therein mentioned, no deputies were elected to represent the said county in the Provincial Congress, and praying that this Congress would

appoint a day for the election of deputies in that county ; read and ordered a second reading.

A petition from sundry inhabitants of the county of Monmouth, praying that none of the militia may be taken out of that county, as it lies so exposed to hostile invasion ; read, and ordered a second reading.

Two petitions from sundry inhabitants of the south ward of the city of Perth-Amboy, in the county of Middlesex, praying that the government under the king of Great-Britain may be suppressed, and that this Congress would point out and establish some more suitable form of Government ; read, and ordered a second reading.

A petition from sundry inhabitants of the county of Hunterdon, setting forth. that John Allen, Esquire, was elected a deputy for that county to serve in Provincial Congress, and praying that his election may, for reasons therein mentioned, be vacated ; read, and ordered a second reading.

Adjourned till eight o'clock to-morrow morning.

THURSDAY, June 13.

Met according to adjournment.

John De Hart, Esquire, one of the Delegates in Continental Congress, asking leave to resign his seat on account of the situation of his family and affairs ;

Ordered, That his resignation be accepted.

A petition from sundry persons in captain Maitland's company, in the township of Alexandria, and county of Hunterdon, praying that the petitioners may, for reasons therein mentioned, be taken from the said company and annexed to a company in Greenwich, in the county of Sussex ; read, and ordered a second reading.

The committee to whom were referred the resolutions of the Continental Congress for detachjng the militia, made report ; which was read, and ordered a second reading.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Two petitions from the inhabitants of Somerset county, praying that a bounty may be offered to induce the militia to turn out as volunteers, and that the expense thereon arising may be defrayed by assessments on the ratable estates of the inhabitants in general ; were read, and ordered a second reading.

The report of the Committee to whom were referred the resolutions of the Continental Congress, &c. read a second time ; and, after some time spent thereon, recommitted to the same Committee.

The two petitions from sundry inhabitants of Burlington county, praying a day to be appointed for the election of Deputies, &c. read a second time.

WHEREAS, by a late ordinance of the Provincial Congress of New Jersey, it was resolved and directed, "That all freeholders qualified to vote for Representatives in General Assembly in this Colony, who have signed the general association recommended by this Congress; and all other persons of full age, who immediately preceding the election, shall have resided for the space of one year in any county of this Colony, and who are worth at least *fifty pounds*, proclamation money in personal estate, and have signed the general association as aforesaid, shall be admitted to vote in the county wherein they reside for Deputies to serve in Provincial Congress:" And by the said ordinance, the said electors in each county were directed to meet on the fourth Monday in May last, at the particular places therein mentioned, and elect Deputies to serve in Provincial Congress: Notwithstanding which the electors of the county of Burlington neglected to elect such Deputies on the day in said ordinance particularly prescribed; and no power being given to the electors of any county wherein such negligence happened, to proceed to the election of Deputies on any other day, and several of the inhabitants of said county having prayed relief in the premises: *It is therefore resolved*, That the electors of the county of Burlington, qualified to vote for Deputies to serve in Provincial Congress by virtue of said ordinance, do meet at the court-house in the city of Burlington, on Thursday, the twentieth day of this instant June, between the hours of ten in the forenoon and one in the afternoon, of said day, and proceed to the election of Deputies to serve in Provincial Congress; and also of a county committee, pursuant to the directions of said ordinance.

Adjourned till to morrow morning, eight o'clock.

FRIDAY, June 14.

Met according to adjournment.

The Committee to whom the report of the Committee upon the resolves of the Continental Congress was recommitteed, made report of the same; which was read, and being amended, was agreed to, and ordered to be engrossed.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

On motion,

1. *Resolved*, That, in the opinion of this Congress, the proclamation of William Franklin, Esquire, late Governor of

New-Jersey, bearing date on the thirtieth day of May last, in the name of the king of Great Britain, appointing a meeting of the General Assembly, to be held on the twentieth day of this instant June, ought not to be obeyed.

On the question,

The above resolution passed as follows :

YEAS.

Mr. A. Clark,	Mr. Covenhoven,	Mr. Hathorn,
Mr. Conduct,	Mr. Mott,	Dr. Bloomfield,
Mr. Drake,	Mr. Sparks,	Mr. Wetherill,
Mr. Cook,	Mr. Cooper,	Mr. Dunn,
Mr. Woodhull,	Mr. E. Clark,	Mr. Sergeant,
Mr. Green,	Mr. Hugg,	Mr. Combs,
Mr. Frelinghuysen,	Mr. Ellis,	Mr. Martin,
Mr. Paterson,	Mr. Elmer,	Mr. Shaver,
Dr. Witherspoon,	Mr. Ayers,	Mr. Van Campen,
Mr. Hardenbergh,	Mr. Harris,	Mr. Symmes,
Mr. Linn,	Mr. Bowen,	Mr. Sinnickson,
Mr. Hart,	Mr. Hand,	Mr. John Holme.
Mr. Mehelm,	Mr. Leaming,	

NAYS.

Mr. Drummond,	Mr. Hughes,	Mr. Van Boskirk,
Mr. Dickenson,	Mr. Savage,	Mr. Brown,
Mr. Allen,	Mr. Demarest,	Mr. Potts.
Mr. Joseph Holmes,	Mr. Post,	

Adjourned till to-morrow morning, eight o'clock:

SATURDAY, June 16.

Met according to adjournment.

A petition of sundry inhabitants of the northward of the city of Perth-Amboy, praying that the government of the Province of New-Jersey may not be changed : as also a petition from sundry inhabitants of the township of Shrewsbury, in the county of Monmouth, to the same effect ; read, and ordered a second reading.

On motion,

2. *Resolved*, That, in the opinion of this Congress, the said William Franklin, Esquire, by such proclamation, has acted in direct contempt and violation of the resolve of the Continental Congress of the fifteenth day of May last ;

On the question,

The said resolution passed as follows :

YEAS.

Mr. A. Clark,	Mr. Drake,	Mr. Woodhull,
Mr. Conduct,	Mr. Cook,	Mr. Green,

Mr. Frelinghuysen,	Mr. Cooper,	Mr. Sergeant,
Mr. Paterson,	Mr. Hugg,	Mr. Combs,
Dr. Witherspoon,	Mr. Ellis,	Mr. Demarest,
Mr. Hardenbergh,	Mr. Elmer,	Mr. Post.
Mr. Linn,	Mr. Harris,	Mr. Quackenbush,
Mr. Hart,	Mr. Bowen,	Mr. Martin,
Mr. Mehelm,	Mr. Hand,	Mr. Shaver,
Mr. Covenhoven,	Mr. Leaming,	Mr. Van Campen,
Mr. Mott,	Mr. Hathorn,	Mr. Symmes,
Mr. Josiah Holmes,	Dr. Bloomfield,	Mr. Sinnickson,
Mr. Elijah Clark,	Mr. Wetherill,	Mr. Holme.
Mr. Sparks,	Mr. Dunn,	

NAYS.

Mr. Drummond,	Mr. Joseph Holmes,	Mr. Van Boskirk,
Mr. Dickenson,	Mr. Hughes,	Mr. Brown,
Mr. Allen,	Mr. Savage,	Mr. Potts.
Mr. Taylor,		

On motion,

3. *Resolved*, That, in the opinion of this Congress, the said William Franklin, Esquire, has discovered himself to be an enemy to the liberties of this country; and that measures ought to be immediately taken for securing the person of the said William Franklin, Esquire :

On the question,

The said resolution passed as follows :

YEAS.

Mr. A. Clark,	Mr. Covenhoven,	Mr. Hathorn,
Mr. Camp,	Mr. Mott,	Dr. Bloomfield,
Mr. Condict,	Mr. Josiah Holmes,	Mr. Wetherill,
Mr. Drake,	Mr. Sparks,	Mr. Dunn,
Mr. Cook,	Mr. Cooper,	Mr. Sergeant,
Mr. Woodhull,	Mr. E. Clark,	Mr. Combs,
Mr. Green,	Mr. Hugg,	Mr. Demarest,
Mr. Frelinghuysen,	Mr. Ellis,	Mr. Quackenbush,
Mr. Paterson,	Mr. Elmer,	Mr. Martin,
Dr. Witherspoon,	Mr. Harris,	Mr. Shaver,
Mr. Hardenbergh,	Mr. Bowen,	Mr. Van Campen,
Mr. Linn,	Mr. Hand,	Mr. Symmes,
Mr. Hart,	Mr. Leaming,	Mr. Sinnickson,
Mr. Mehelm,	Mr. Savage,	Mr. John Holme.

NAYS.

Mr. Drummond,	Mr. Joseph Holmes,	Mr. Van Boskirk,
Mr. Dickenson,	Mr. Hughes,	Mr. Brown,
Mr. Allen,	Mr. Post,	Mr. Potts.
Mr. Taylor,		

On motion,

4. *Resolved*, That, in the opinion of this Congress, all payments of money on account of salary, or otherwise, to the said William Franklin, Esquire, as Governor, ought from henceforth to cease ; and that the treasurers of this Province shall account for the moneys in their hands to this Congress, or to the future Legislature of this Colony.

On the question,

The said resolution passed as follows :

YEAS.

Mr. Abrah'm Clark,	Mr. Joseph Holmes,	Dr. Bloomfield,
Mr. Camp,	Mr. Mott,	Mr. Wetherill,
Mr. Condict,	Mr. Josiah Holmes,	Mr. Dunn,
Mr. Drake,	Mr. Sparks,	Mr. Sergeant,
Mr. Cook,	Mr. Cooper,	Mr. Combs,
Mr. Woodhull,	Mr. Clark,	Mr. Demarest,
Mr. Frelinghuysen,	Mr. Hugg,	Mr. Post,
Mr. Paterson,	Mr. Ellis,	Mr. Van Boskirk
Dr. Witherspoon,	Mr. Elmer,	Mr. Quackenbush
Mr. Hardenbergh,	Mr. Harris,	Mr. Martin,
Mr. Linn,	Mr. Bowen,	Mr. Shaver,
Mr. Dickenson,	Mr. Hughes,	Mr. Van Campen,
Mr. Hart,	Mr. Hand,	Mr. Symmes,
Mr. Mehelm,	Mr. Leaming,	Mr. Sinnickson.
Mr. Taylor,	Mr. Savage,	Mr. John Holme.
Mr. Covenhoven,	Mr. Hathorn,	

NAYS.

Mr. Allen,	Mr. Brown,	Mr. Potts.
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John Zabrieskie, of Bergen county, desiring leave to resign his commission as Lieutenant-Colonel of the battalion in that county ;

Ordered, That his resignation be accepted.

Resolved, That the following order do issue to Colonel Nathaniel Heard, of the first battalion of Middlesex county :

THE Provincial Congress of New-Jersey, reposing great confidence in your zeal and prudence, have thought fit to entrust to your care the execution of the enclosed resolves. It is the desire of Congress that this necessary business be conducted with all the delicacy and tenderness which the nature of the business can possibly admit. For this end you will find among the papers the form of a written parole, in which there is left a blank space for you to fill up. at the choice of Mr. Franklin, with the name of Princeton, Bordentown, or his own farm at Rancocus. When he shall have signed the pa-

role, the Congress will rely upon his honour for the faithful performance of his engagements: but should he refuse to sign the parole, you are desired to put him under strong guard, and keep him in close custody, until the further order of this Congress. Whatever expense may be necessary for this service will be cheerfully defrayed by the Congress. We refer to your discretion what means to use for that purpose; and you have full power and authority to take to your aid whatever force you may require.

John Hart, Esq. was elected Vice-President.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

A sufficient number not attending to proceed on business, adjourned to Monday morning, ten o'clock.

MONDAY, June 17.

Met according to adjournment, and a few only of the members attending, adjourned to three o'clock, afternoon.

Met according to adjournment.

A petition from the township committee of Windsor, in the county of Middlesex, praying that a new mode of government may be established, that men above fifty may bear an equal burden, &c. was read, and ordered a second reading.

Mr. Ellis, Mr. Clark, and Mr. Camp, having resigned their office as Commissioners;

Ordered, That their resignations be accepted.

Mr. Ellis having resigned his office of Paymaster and Commissary for the company of artillery in West Jersey;

Ordered, That his resignation be accepted.

Ordered, That John Ross, of Woodbridge, and Isaac Woodruff, of Elizabethtown, be Commissioners for the eastern division, in the room of Mr. Clark and Mr. Camp, in order to purchase tents, canteens, &c.; and that David Pinkerton, of Trenton, be a Commissioner for the western division, in the room of Mr. Ellis.

A memorial from the western Commissioners, appointed to procure tents, &c. was read a second time.

WHEREAS the Commissioners appointed to purchase tents and camp equipage, were restricted in the price, and, from their memorial now before this Congress, it appears that they are at a loss to determine what was intended to be comprised under the terms *camp-equipage*; *It is therefore resolved unanimously*, That the said Commissioners immediately purchase on the most reasonable terms they can, four hundred tents, two thousand knapsacks, two thousand haversacks, and two

thousand canteens, together with the six hundred and sixty camp-kettles, ordered by the resolve of this Congress, bearing date the fourteenth day of this instant June.

Ordered, That Benjamin Holme, of the county of Salem, be Paymaster and Commissary for the company of artillery in West-Jersey, in the room of Mr. Ellis, who has resigned.

A petition from the inhabitants of Maidenhead, in the county of Hunterdon, praying that a new mode of government may be established, that all future elections be annual and by ballot, that the doors of Congress be kept open except in cases where secrecy is necessary, &c. was read, and ordered a second reading.

A remonstrance from sundry inhabitants of the county of Burlington, complaining of the extravagant price of goods, &c. and praying relief; read, and ordered a second reading.

Pursuant to a certificate of election,

Ordered, That the following persons be commissioned as officers in a company of militia in the county of Hunterdon, in the battalion whereof Isaac Smith, Esquire, is Colonel, to wit : John Hunt, Captain, Henry Mershon, First Lieutenant, Ralph Lanning, Second Lieutenant, Ely Moore, Ensign.

Ordered, That on Friday next, in the forenoon, this Congress will consider the propriety of forming a government; will draught instructions for the Delegates in Continental Congress; and will elect Delegates to represent this Colony in said Congress.

The petition from sundry persons in Captain Maitland's company, in Hunterdon county, read a second time; whereupon,

Ordered, That the several persons included within the boundaries of the road from Dunlap's Ferry and the Hell-Town road over Musconetcunk on the south and east, and the river Delaware and Musconetcunk on the north and west, be added to the company late of Captain Andrew Sprowle, in Sussex county, on account of their particular situation.

On reading a second time the memorial of Colonel David Brearley, respecting certain disaffected persons in Monmouth county; and the letter from the President of the Provincial Congress of New-York, stating the circumstances of a defection in Bergen county, &c.

Ordered, That the same be referred to Colonel Dick, Mr. Sergeant, Mr. Symmes, Colonel Covenhoven, and Mr. Brown.

Adjourned till to-morrow morning, eight o'clock.

TUESDAY, June 18.

Met according to adjournment.

A letter from Colonel Heard, of the 17th instant, read, and is in the words following, to wit :

To SAMUEL TUCKER, Esq. *President of the Provincial Congress at Burlington, per express.*

SIR : Agreeably to an order and resolve of the Provincial Congress, lately sent me, I this morning, with Major Deare, went to Governor Franklin, and desired him to comply with the order of Congress, and sign the parole sent me, which he absolutely refused to do, and forbid me, at my peril, to carry the order into execution. We then left the Governor's house, and ordered a company of militia, which were in readiness, to attend, and have placed a guard of about sixty men at and around his house. I expect he will persist in refusing to comply, and therefore send this per express, and beg the further directions of the Congress respecting this matter, as soon as possible, by return of the bearer, and shall act accordingly.

I am, in great haste,

Sir, your most humble servant,

NATHANIEL HEARD.

AMBOY, June 17, 1776.

Ordered unanimously, That a copy of the following letter be signed by the President, and sent to Colonel Heard :

SIR : It is the desire of Congress, that you immediately bring William Franklin, Esquire, to this place, under such guard as you may think sufficient.

Ordered unanimously, That a copy of the following letter be signed by the President, and sent to the Honourable John Hancock, Esq. President of the Continental Congress :

SIR : Our Colony has of late been alarmed with sundry attempts of disaffected persons to create disturbances. The proclamation of Mr. Franklin, our late Governor, for calling together the Assembly, is one of these which we have thought deserving the most serious attention. Enclosed we have sent a copy of certain resolves, which we have thought necessary to pass on the occasion ; together with a copy of our instructions to Colonel Heard.

We this minute received by express from Colonel Heard, a letter, of which the enclosed is a copy. We have ordered down to this place Mr. Franklin under guard ; and now beg leave to submit to the consideration of the Congress, whether it would not be for the general good of the United Colonies. that Mr. Franklin should be removed to some other Colony :

Congress will easily conceive the reasons of this application ; as Mr. Franklin, we presume, would be capable of doing less mischief in Connecticut or Pennsylvania than in New-Jersey. Whatever advice Congress may think proper to give us, we shall be glad to receive ; and would further intimate, that the countenance and approbation of the Continental Congress would satisfy some persons, who might otherwise be disposed to blame us.

The enclosed printed papers will shew what steps we have taken with respect to the militia.

Ordered, That Cornelius Blanchard be Brigade-Major for the eastern division of New-Jersey, and be commissioned accordingly.

Ordered, That the Commissioners immediately purchase one or more ammunition-waggons, for the use of each of the artillery companies of this Colony.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

Memorial from the county committee of Hunterdon, respecting certain disaffected persons in that county ; read, and referred to the Committee for considering the memorial of Col. David Brearley, &c.

Henry Hand, Esq. Lieutenant-Colonel of the battalion of Cape May, having resigned his commission,

Ordered, That his resignation be accepted.

Eli Eldridge, Esq. First Major of the same battalion, having resigned his commission,

Ordered, That his resignation be accepted.

Thomas Leaming, Esq. Adjutant of the same battalion, having resigned his commission,

Ordered, That his resignation be accepted.

Pursuant to a certificate of election,

Ordered, That the following persons be commissioned as officers in a company of light infantry, in the township of Middletown, county of Monmouth, to wit: John Burrowes, jun. Captain, Jonathan Forman, First Lieutenant, James Whitlock, Second Lieutenant, Samuel Carhart, Third Lieutenant.

The petition from sundry inhabitants of Hunterdon county, praying the election of John Allen, Esq. for certain reasons, to be vacated, &c.; read a second time ;

On the question,

Whether the prayer of the said petition be granted ? It passed in the negative.

James Mott, Second Major of the second battalion of foot militia, in Monmouth county, having resigned his commission.

Ordered, That his resignation be accepted.
Adjourned till to-morrow morning, eight o'clock.

WEDNESDAY, June 19.

Met according to adjournment.

Agreeable to certificate of election,

Ordered, That William Tucker be Captain, John Fitch, First Lieutenant, Isaiah Yard, Second Lieutenant, and Joseph Clunn, Ensign, of a company in Trenton, in the county of Hunterdon, whereof Isaac Smith, Esq. is Colonel.

A petition from sundry inhabitants of the township of Shrewsbury, in Monmouth county, praying that no new mode of government may be established; that the present may continue, as being sufficient for the exigency of our affairs; and that no measures may be adopted that tend to separate this Colony from Great Britain; was read, and ordered a second reading.

A petition from the southward of New-Brunswick, praying that a new government be established; and that a speedy and absolute independence upon Great Britain be proclaimed, &c.; read, and ordered a second reading.

A petition from the Committee of Tewkesbury and Readingtown, in Hunterdon county, praying that the bounty offered by a late resolve of this Congress, in order to induce the militia to turn out, may be augmented; read, and ordered to lie on the table.

The Committee of the northward of the city of Perth-Amboy, having transmitted to this Congress an appraisement of arms, taken from the non-associators within their bounds;

Ordered, That the same be filed.

The Committee to whom were referred the memorials and representations respecting certain disaffected persons in the counties of Monmouth, Hunterdon, Bergen, and Sussex, made report, and, after sundry amendments, the same was agreed to, and the Congress came to sundry resolutions thereupon, which are as follow, viz :

Resolved, That it be referred to the county committee of Sussex, to take order with the persons who have been charged with behaving in a disorderly manner in that county; and that they be empowered to punish the delinquents according as the case may require, not exceeding fine and imprisonment.

Resolved, That the affidavits transmitted to this Congress, by the President of the Provincial Congress of New York, respecting a supposed defection in the county of Bergen, be transmitted to the committee of that county; and that they be directed immediately to examine strictly into the truth of

the case, and report their proceedings to this Congress as speedily as possible.

Resolved, That the following persons, Richard Robins and Moses Ivins, of the county of Monmouth, and John Vaught, Frederick Fritz, George Updike, and William Rittenhouse, of the county of Hunterdon, be required to attend this Congress, on Tuesday, the twenty-fifth day of this instant June, at nine o'clock in the forenoon, and that the President employ persons to serve the summonses.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

Pursuant to certificate of election,

Ordered unanimously, That David Chambers, Esquire, be Colonel, Thomas Lowrey, Lieutenant-Colonel, and Cornelius Stout, Second Major, of the third battalion of foot militia in the county of Hunterdon.

A petition from part of Captain John Phillips' company, in the third battalion of Hunterdon, praying that the said company may be joined to the first battalion; read, and ordered to lie on the table.

The memorial of William Nathaniel French, setting forth, that the estate of his father and family, of whom he is the representative, lies in England and the island of Barbadoes, and lest the same may be forfeited, praying that he may be exempted from all military calls, associations, &c.; read, and ordered to lie on the table.

Whereas, some doubts have arisen whether the late ordinance of the Provincial Congress, directing a bounty of one shilling a pound to be paid for all merchantable saltpetre manufactured in this Province, should be allowed on any saltpetre unless in those cases where the same was purchased by the respective committees; for removing which doubts,

Resolved, That the aforesaid bounty be paid for all saltpetre manufactured in this Colony, upon the proof, and under the limitations in the said ordinance directed, whether the same be sold in this or any other Colony.

Ordered, That Dr. Thomas Ewing be appointed Surgeon to the battalion directed to be raised in the counties of Burlington, Gloucester, Cumberland, and Salem, under the command of Colonel Silas Newcomb.

Ordered, That the commissioners for the company of artillery in West-Jersey, immediately purchase the following articles for the use of said company, viz.:

Powder,	-	-	-	600 weight.
Cannon-ball,	-	-	-	500 ditto.
Double headed and grape shot,	-	-	-	1500 ditto.
Lead,	-	-	-	600 ditto.

Knapsacks and haversacks, sixty-four of each; intrenching tools, spades, and shovels, twenty; hoes, six; two worms; four rammers and sponges; four handspikes, capped with iron.

A sufficient quantity of coarse oznabrigs, or crocus, for making up cartridges with grape shot; three dozen canisters for the same purpose; six hundred tubes, ready filled; and a sufficient quantity of port-fires, tube-boxes, and boxes for transportation of cartridges.

Adjourned till to-morrow morning, eight o'clock.

THURSDAY, June 20.

Met according to adjournment.

Pursuant to certificate of election from the Committee of Salem, prior to the militia ordinance,

Ordered, That Samuel Dick, Esq. be Colonel, Whitton Cripps, Esq. Lieutenant-Colonel, William Mecum, Esq. First Major, and Edward Hall, Esq. Second Major, of the western battalion of the said county, and that they be commissioned accordingly.

A letter from President Hancock, of the nineteenth instant, was read; together with a resolve of the Continental Congress, in the words following, viz.:

“IN CONGRESS, June 19, 1776.

RESOLVED, That it be recommended to the Convention of New-Jersey, to proceed on the examination of Mr. Franklin; and if, upon such examination, they shall be of opinion that he should be confined, to report such opinion to this Congress, and then this Congress will direct the place of his confinement, they concurring in sentiment with the Convention of New-Jersey, that it would be improper to confine him in that Colony.

Extract from the Minutes.

CHA. THOMSON, Sec.”

Adjourned to six o'clock, afternoon.

Met according to adjournment.

The certificate of election for Members of Congress for the county of Burlington; read. allowed, and filed.

Adjourned till to-morrow morning, eight o'clock.

FRIDAY, June 21.

Met according to adjournment.

A petition from sundry inhabitants of the township of Morris, in the county of Morris, praying that all officers in civil government may be annually elected by the people; that the

fees of all officers may be as low as possible, &c. was read, and ordered a second reading.

Ordered, That the President write to General Livingston, and inform him, that it is the desire of Congress that he would take the command of the militia destined for New-York.

The Honourable the Continental Congress having resolved
 “ That letters be written to the Conventions of New-Jersey
 “ and New-York, and to the Assembly of Connecticut, recom-
 “ mending to them to authorize the commander in-chief in the
 “ Colony of New-York, to call to the assistance of that Co-
 “ lony, when necessity shall require it, such of the militia of
 “ those colonies as may be necessary; and to afford him such
 “ other assistance as the situation of affairs may require: and
 “ that it be further recommended to the Convention of New-
 “ York, to empower the said commander-in-chief, to impress
 “ carriages and water craft, when necessary, for the publick
 “ service; and also to remove ships and other vessels in Hud-
 “ son’s and the East rivers, for the purpose of securing them
 “ from the enemy.”

This Congress, sensible of the importance of securing New-York against the attempts of the enemy to cut off the communication between the Eastern and Southern Colonies; and although they have directed the immediate raising of five battalions to join the Continental army for that purpose; yet, as it is impossible to ascertain the number of the enemy, they are of opinion that, in the present uncertain state of publick affairs, the inhabitants of this Province ought, in cases of extraordinary danger, to give all the occasional assistance in their power, especially as the fate of America may perhaps depend upon the issue of this summer’s campaign, *do resolve*, that in case the commander-in-chief of the Continental forces at New-York, upon the arrival of British troops, shall stand in need of the aid of the militia of this Colony, that he be authorized to call for the same, by applying to one of the Brigadiers-General, or the Colonels of militia. And the said militia, upon such request, are desired immediately to march to the defence of the parts invaded, or threatened with an immediate invasion. And all such of the militia as upon the requisition of the commander-in-chief, shall march to the defence of any place in danger, shall be entitled to the same pay and subsistence as are allowed to the Continental forces, and shall not be detained in such service more than one month from the time of their marching. This Congress, from experience of the zeal and alacrity of the inhabitants of this Colony, to step forward for the defence of America on all former occasions, are persuaded that this request from their representatives, arising from pure necessity, will be most cheer-

fully complied with, and the honour and safety of the Colony thereby maintained.

Ordered, That a copy of the above resolution be transmitted to General Washington ; and that the same be published in the newspapers.

Ordered, unanimously, That Doctor Melancthon Freeman, be appointed Surgeon, and Mr. Benjamin Stockton, Surgeon's Mate, to the battalion directed to be raised in the counties of Middlesex and Monmouth.

A petition from John Reynolds and George Riche, paper-makers in Germantown. Pennsylvania, setting forth, that they designed to carry on their trade in this Colony, and praying that this Congress would encourage the same ; read, and ordered a second reading.

A petition from sundry inhabitants of the county of Burlington, setting forth, that great expense will necessarily attend recruiting the men directed to be raised by an ordinance of the fourteenth instant ; and praying that the men may be subsisted and paid from the time of enlistment ; read, and ordered a second reading.

William Franklin, Esq. late Governor of this Province, having been brought before this Congress, pursuant to an order for that purpose, to be examined touching such parts of his conduct as were deemed inimical to the liberties of America, Mr. Franklin refused to answer the questions put to him, denying the authority of this body, which he alleged had usurped the king's government in this Province.

As the said William Franklin, by this and his former conduct, in many instances, appears to be a virulent enemy to this country, and a person that may prove dangerous ; therefore it is

Unanimously resolved, That the said William Franklin be confined in such place and manner as the Honourable Continental Congress shall direct.

Ordered, That the President write to the Continental Congress enclosing the above resolves, and the questions that were put to Mr. Franklin.

Resolved, That Lieutenant Colonel Bowes Read keep under safe guard the person of William Franklin, Esq. until the further order of this Congress ; and that the President sign an order for this purpose.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

The petition from sundry inhabitants of Burlington county, setting forth, that great expense will necessarily attend the recruiting the men directed to be raised by an ordinance of

the fourteenth instant; and praying that the men may be subsisted and paid from the time of enlistment; was read a second time, and referred to Mr. Dick, Mr. Ellis, and Mr. Symmes.

Four petitions from the township of Middleton and Shrewsbury, in the county of Monmouth, praying that the government of the Province of New-Jersey may not be changed, &c. read.

Two petitions from the township of Freehold, in the county of Monmouth, praying that this Congress will immediately establish such mode of government as shall be equal to the present exigencies of this Colony, and fully coincide with the resolve of the Honourable Continental Congress of the 15th of May last; were read.

Pursuant to the order of the day, the Congress went into the consideration of the propriety of forming a government, &c.;

Resolved, That a government be formed for regulating the internal police of this Colony, pursuant to the recommendation of the Continental Congress of the fifteenth of May last;

On the question,

It passed in the affirmative, as follows :

YEAS.

Mr. A. Clark,	Mr. Mott,	Mr. Dunn,
Mr. Ogden,	Mr. Josiah Holmes,	Mr. Sergeant,
Mr. Camp,	Mr. Sparks,	Mr. Combs,
Mr. Drummond,	Mr. Cooper,	Mr. Van Boskirk,
Mr. Condict,	Mr. Elijah Clark,	Mr. Shaver,
Mr. Drake,	Mr. Hugg,	Mr. Potts,
Mr. Cook,	Mr. Ellis,	Mr. Van Campen.
Mr. Woodhull,	Mr. Elmer,	Mr. Symmes,
Mr. Green,	Mr. Ayers,	Mr. Sinnickson,
Mr. Frelinghuysen,	Mr. Harris,	Mr. Holme,
Mr. Paterson,	Mr. Bowen,	Mr. Shinn,
Dr. Witherspoon,	Mr. Hughes,	Mr. Cripps,
Mr. Hardenbergh,	Mr. Hand,	Mr. Dick,
Mr. Linn,	Mr. Leaming,	Mr. Tallman,
Mr. Hart,	Mr. Savage,	Mr. Reynolds,
Mr. Mehelm,	Mr. Hathorn,	Mr. Fennimore
Mr. Covenhoven,	Dr. Bloomfield,	Mr. Read,
Mr. Joseph Holmes,	Mr. Wetherill,	Mr. Shreve.

NAYS.

Mr. Allen,	Mr. Taylor,	Mr. Brown.
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Adjourned till to-morrow morning, eight o'clock.

SATURDAY, June 22.

Met according to adjournment.

Upon the question,

Whether one or more Delegates shall be a sufficient number to represent this Colony in Continental Congress? It passed in the affirmative as follows, viz.:

FOR ONE.

Mr. A. Clark,	Mr. Shaver,	Dr. Wetherill,
Mr. Ogden,	Mr. Potts,	Mr. Dunn,
Mr. Camp,	Mr. Van Campen,	Mr. Sergeant,
Mr. Condict,	Mr. Mehelm,	Mr. Combs,
Mr. Drake,	Mr. Covenhoven,	Mr. Van Boskirk,
Mr. Cook,	Mr. E. Clark,	Mr. Quackenbush,
Mr. Woodhull,	Mr. Hugg,	Mr. Symmes,
Mr. Green,	Mr. Ellis,	Mr. John Holme.
Mr. Frelinghuysen,	Mr. Hughes,	Mr. Shinn,
Mr. Paterson,	Mr. Hand,	Mr. Cripps,
Dr. Witherspoon,	Mr. Leaming,	Mr. Dick,
Mr. Hardenbergh,	Mr. Savage,	Mr. Reynolds,
Mr. Linn,	Mr. Hathorn,	Mr. Shreve.
Mr. Brown,	Mr. Bloomfield,	

FOR MORE.

Mr. Drummond,	Mr. Mott,	Mr. Bowen,
Mr. Dickenson,	Mr. Josiah Holmes,	Mr. Post.
Mr. Hart,	Mr. Cooper,	Mr. Sinnickson,
Mr. Taylor,	Mr. Elmer,	Mr. Tallman,
Mr. Joseph Holmes,	Mr. Harris,	Mr. Read.

Resolved, That five persons be elected to represent this Colony in Continental Congress, to serve for one year, unless a new appointment be made before that time, any one of whom shall have power to vote.

Mr. Sergeant having resigned his appointment as a Delegate in the Continental Congress;

Ordered, That his resignation be accepted.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

The Congress proceeded to the election of Delegates to represent this Colony in Continental Congress, when Richard Stockton, Abraham Clark, John Hart, Francis Hopkinson, Esquires, and Dr. John Witherspoon, were elected by ballot to serve for one year, unless a new appointment be made before that time.

Resolved, That the following instructions be given to the Delegates so elected, viz.:

To RICHARD STOCKTON, ABRAHAM CLARK, JOHN HART, FRANCIS HOPKINSON, Esquires, and the Rev. Dr. JOHN WITHERSPOON, *Delegates appointed to represent the Colony of New-Jersey in Continental Congress.*

THE Congress empower and direct you, in the name of the this Colony, to join with the Delegates of the other Colonies in Continental Congress, in the most vigorous measures for supporting the just rights and liberties of America. And, if you shall judge it necessary and expedient for this purpose, we empower you to join with them in declaring the United Colonies independent of Great Britain, entering into a confederacy for union and common defence, making treaties with foreign nations for commerce and assistance, and to take such other measures as to them and you may appear necessary for these great ends, promising to support them with the whole force of this Province; always observing that, whatever plan of confederacy you enter into, the regulating the internal police of this Province is to be reserved to the Colony Legislature.

Ordered, That Ebenezer Howell, of the county of Salem, be commissioned as Major of the battalion commanded by Colonel Newcomb.

A petition from the county committee of Monmouth; read, and ordered a second reading.

A petition from Stafford township, in Monmouth county; read, and ordered a second reading.

A petition from Charles Loveland; read, filed, and ordered a second reading.

Two petitions from the township of Woodbridge; read, filed, and ordered a second reading.

Colonel Borden's account for the paying of Robert Quigley's company; read, filed, and ordered a second reading.

Adjourned to two o'clock, on Monday next.

MONDAY, June 24.

Met according to adjournment.

Two petitions from the townships of Middletown and Freehold, in the county of Monmouth, praying that this Congress would immediately establish such mode of government as shall be equal to the exigencies of this Colony, and fully coincide with the resolve of the Honourable Continental Congress of the fifteenth of May last; read, and ordered a second reading.

A letter from the county committee of Monmouth, enclosing an association signed by certain disaffected persons; read, and ordered a second reading.

A representation of the county committee of Monmouth,

giving a detail of Colonel Forman and the minute-men, seizing several disaffected persons in that county without the express command of the committee, though approved by them afterwards; accompanied with an account of the expense attending the seizure of said persons; read, and ordered a second reading.

Ordered, That Mr. Green, Mr. Cooper, Mr. Sergeant, Mr. Ogden, Mr. Elmer, Mr. Hughes, Mr. Covenhoven, Mr. Symmes, Mr. Condict and Mr. Dick, be a Committee to prepare the draught of a constitution.

Ordered, That Thomas Okeson, charged with supplying the British men of war with provisions, be committed to the common jail of Burlington county.

Adjourned till to morrow morning, eight o'clock.

TUESDAY, June 25.

Met according to adjournment.

The Continental Congress having resolved, "That William Franklin, Esquire, be sent under guard to Governor Trumbull, of Connecticut, who is desired to take his parole; and if Mr. Franklin refuse to give his parole, that Governor Trumbull be desired to treat him agreeable to the resolutions of Congress respecting prisoners."

Resolved, That the President do issue orders, and take such measures as may be necessary to carry the above resolve into execution.

Brigadier-General Livingston, having by letter informed this Congress that he could not, for reasons therein mentioned, accept the command of the militia destined for New-York;

Resolved, That Colonel Nathaniel Heard be, and he is hereby, appointed Brigadier-General of the said forces.

The Committee to whom was referred the petition from Burlington, praying that the men raised in order to reinforce the army at New-York, may be subsisted and paid from the time of enlistment, made report; which was read, and ordered a second reading.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

Memorial of Colonel Stephen Hunt, setting forth, that several difficulties have arisen in raising the new levies, &c.; read, and ordered a second reading.

Representation of Richard Robins and Moses Ivins, containing reasons for their refusing to obey the summons of this House; read.

The Congress took under consideration the memorial of

Colonel Hunt ; and also the report of the Committee to whom was referred the petition from Burlington county, &c.; and, after some time spent therein, came to the following determination :

WHEREAS, by a late ordinance of this Congress for the raising of three thousand three hundred of the militia to reinforce the army at New York, no provision was made for the subsistence of the said militia from the time of enlistment to the time of marching. And whereas, it is highly reasonable that some provision should be made therefor ; *It is therefore resolved*, That every commissioned officer be allowed at the rate of *fifteen shillings* a week for his subsistence from the time he begins to recruit, to the time he begins to march to the place of general rendezvous ; and that every non-commissioned officer and private be allowed at the rate of *seven shillings and six pence* a week for his subsistence, computing from the time of his enlistment to the time of his marching for the place of destination or general rendezvous.

Adjourned till to-morrow morning, eight o'clock.

WEDNESDAY, June 26.

Met according to adjournment.

Whereas it appears, from undoubted intelligence, that there are several insurgents in the county of Monmouth, who take every measure in their power to contravene the regulations of Congress, and to oppose the cause of American freedom ; and, as it is highly necessary that an immediate check be given to so daring a spirit of disaffection ;

It is therefore resolved unanimously, That Colonel Charles Read take to his aid two companies of the militia of the county of Burlington, properly officered and armed, and proceed without delay to the county of Monmouth, in order to apprehend such insurgents and disaffected persons in said county, as this Congress shall give in direction to Colonel Read.

Resolved, unanimously, That Colonel Read take, if necessary, to his assistance, the militia of Monmouth.

Resolved, unanimously, That such officers and militia as engage in this service, shall receive the like pay as the Continental troops.

Resolved, unanimously, That the said militia furnish themselves with provisions, and that this Congress will order payment therefor.

Resolved, That the following directions, signed by the President, be given to Colonel Read.

Colonel CHARLES READ :

You are hereby ordered to apprehend Richard Robins and

Moses Ivins, and to deliver them unto the keeper of the common gaol of the county of Gloucester, who is hereby commanded to keep said persons in close and safe confinement, until this Congress, or Committee of Safety, shall take further order therein: And you are also to apprehend Anthony Woodward, junior, Joseph Grover, Guisebert Guisebertson, and Thomas Lewis Woodward, and bring them before this Congress, or, during their recess, the Committee of Safety.

Whereas it appears, from authentick information, that certain disaffected persons, in the county of Hunterdon, have confederated for the purpose of opposing the measures of the Continental and Provincial Congresses, and have even proceeded to acts of open and daring violence; have plundered and robbed the house of Captain Jones; have beaten, wounded, and otherwis abused the friends of freedom in said county, and now publickly declare, that they will take up arms and engage in behalf of the king of Great Britain, the avowed and implacable enemy of the United Colonies. In order to put an effectual stop to a combination so hostile and dangerous,

It is resolved unanimously, That Lieutenant-Colonel Ten Eick, and Major Berry, take to their aid such a number of the militia, properly officered and armed, of the counties of Hunterdon and Somerset, as they may think necessary, and proceed, without delay, to the said county of Hunterdon in order to apprehend such insurgents and disaffected persons as this Congress shall direct.

Resolved unanimously, That such officers and militia as engage in this service, shall receive the like pay as the Continental troops.

Resolved unanimously, That the said militia furnish themselves with provisions, and that this Congress will order payment therefor.

Resolved, That the following directions, signed by the President, be sent to Colonel Ten Eick:

Colonel ABRAHAM TEN EICK:

You are hereby ordered to apprehend John Vaught, Joseph Lee, Thomas Swindle, George Cyphers, jun. Peter Cyphers, John Day, William Hunt, jun. Jonathan Hunt, John Hunt, John Seal, jun. Herman Millham, Christopher Vaught, James MacCord, George Casner, Thomas Buskirk, Frederick Fritzt, Peter Abgar, Daniel Hunt, George Updike, John Horpence, Philip Forker, Christopher Dilts, Bartholomew Thatcher, Samuel Slater, Edward Taylor, and John Taylor, all of whom you are to keep under strong guard, and to bring before this Congress, or Committee of Safety, or, during their recess, to

deliver them to the keeper of the common gaol of Trenton, who is hereby commanded to keep them in close and safe confinement, until this Congress, or Committee of Safety, shall take further orders therein.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

The Committee appointed to draught a constitution, &c. reported a draught accordingly ; which was read, and ordered a second reading.

Ordered, That Mr. Mehelm, Mr. Woodhull, Dr. Bloomfield, and Mr. Joseph Holmes, be a Committee to examine and report all publick accounts.

Ordered, That the President write to the western commissioners, and desire them to deliver half a hundred weight of gunpowder to Colonel Johnston.

A petition from the town committees of Galloway and Great Egg Harbour, praying that the surplus of the money arising from the sale of goods saved in a transport which was stranded on the coast, may be appropriated towards equipping such persons within their bounds as are unable to equip themselves ; was read, and ordered a second reading.

Ordered, That Mr. Philip Vickers Fithian be chaplain to the battalion under the command of Colonel Newcomb ; and to the battalion to be raised in the counties of Middlesex and Monmouth, which are destined for New-York.

The petition from sundry inhabitants of the county of Monmouth, praying that none of the militia may be taken out of that county, as it lies so exposed to hostile invasions ; was read a second time, and ordered to lie on the table.

Ordered, That the company under the command of Captain Stillwell, which was directed by the late Committee of Safety to guard the coast of this Colony near Sandy Hook, be continued until the further order of this Convention or Committee of Safety. If it be inconvenient for any of the company to continue in the said employment, Captain Stillwell is hereby empowered to supply such deficiency by enlistment.

Ordered, That Colonel George Taylor be Commissary for the said company.

A petition from Thomas Okeson, now confined in Burlington gaol for corresponding with the enemy, praying that he may be released ; read, and ordered a second reading.

Adjourned till to-morrow morning eight o'clock.

THURSDAY, June 27.

Met according to adjournment.

The memorial from Azariah Dunham, Esquire, requesting

the appointment of Commissary and Paymaster for the troops to be raised in this Province for the Continental service, read the second time ; whereupon,

Resolved, That this Congress recommend Mr. Dunham a Commissary for the new levies raising in this Colony to reinforce the army at New-York.

Resolved, That Mr. Rowland Chambers be recommended by this Congress to the Honourable Continental Congress as a proper person to be Paymaster of the said levies.

The Congress resolved itself into a Committee of the Whole, and Mr. Covenhoven being in the chair, took under consideration the draught of a constitution, &c.

The President resumed the chair, and Mr. Covenhoven, from the Committee of the Whole, made report, that they have made some progress in the matters to them referred, and pray leave to sit again.

A letter from the Provincial Congress of New-York, enclosing an extract from their minutes, was received and read.

Adjourned till three o'clock afternoon.

Met according to adjournment.

The Congress resolved itself into a Committee of the Whole, and Mr. Covenhoven being in the chair, resumed the consideration of the draught of a Constitution.

The President resumed the chair, and Mr. Covenhoven from the Committee of the Whole, made report, that they have made some further progress in the matters to them referred, and desire leave to sit again.

Adjourned till to-morrow morning eight o'clock.

FRIDAY, June 28.

Met according to adjournment.

A petition from the officers of the militia of Gloucester, appointed to raise men for the Continental service, to reinforce the troops now in New-York, setting forth, that *fifteen shillings* a week is not sufficient to defray their expenses in enlisting said men, and requesting that this Congress would make such further allowance as may be reasonable and necessary ; was read, and ordered a second reading.

Two petitions from sundry inhabitants of the township of Upper Freehold, in the county of Monmouth, praying that this Congress would immediately establish such mode of government as shall be equal to the exigencies of this colony, and fully coincide with the resolve of the Honourable Continental Congress of the 15th of May last ; read, and ordered a second reading.

The several petitions for and against the establishment of

a government, read the second time, and referred to the Committee of the whole.

The Congress resolved itself into a Committee of the Whole.

The President resumed the chair, when Mr. Covenhoven, from the Committee of the Whole, made report, that they had not yet come to any resolutions, and desired leave to sit again.

Adjourned till three o'clock afternoon.

Met according to adjournment.

Ordered, That Mr. Andrew Hunter be chaplain to the three battalions now raising in this Colony, under the command of Colonels Van Cortland, Martin and Hunt, destined to reinforce the army at New-York.

The Congress resolved itself into a Committee of the Whole.

The President resumed the chair, and Mr. Covenhoven, from the Committee of the Whole, made report, that they had not yet come to any resolutions, and desired leave to sit again.

Pursuant to a certificate of election,

Ordered, That Elliot Howell be second lieutenant of the light infantry company in the first battalion of foot militia in the county of Hunterdon, whereof Isaac Smith, Esquire, is Colonel.

Pursuant to a certificate of election.

Ordered, That Joseph Clunn be ensign of a company at Trenton, in the same battalion.

Adjourned till seven o'clock to-morrow morning.

SATURDAY, June 29.

Met according to adjournment.

A petition from the county committee of Monmouth, setting forth, that, in pursuance of a resolution of the late Congress, said committee furnished Colonel Maxwell's battalion with fifty stand of arms, and that it was in their option to have them replaced or receive their value in money, and praying that this Congress would order the value of said arms to be paid in money, read a second time, and ordered that the treasurer pay the amount of said arms according to the appraisment.

Mr. Josiah Franklin Davenport handed to Congress an account in the words following :

“Extract of a letter from the Provincial Congress, dated
“Burlington, June 15th, 1776, delivered to Mr. Davenport.
“port.

“ To COL. NATHANIEL HEARD.

“ Whatever expence may be necessary for this service
“ will be cheerfully defrayed by the Congress.

“ SAMUEL TUCKER, President.

“ Colonel Nathaniel Heard to Josiah F. Davenport, June 26,
“ 1776. Dr.

“ To boarding and lodging Governor Franklin, his Servant,
“ &c. one week, £. 3 : 0 : 0

Ordered, That the treasurer pay the above account.

Two memorials, the one from the county committee of Monmouth, the other from the Committee of Safety of that county, respecting certain disaffected persons in said county ; and requesting that this Congress would take some decisive order therein ; were read, and ordered a second reading.

Ordered, That Dr. John Condict be surgeon to the battalion directed to be raised in the counties of Bergen, Essex and Burlington, under the command of Colonel Van Cortland, destined to reinforce the army at New-York.

A petition from Richard Robins and Moses Ivins, praying a hearing, confessing their faults, offering to make discoveries, and praying a discharge ; read and filed.

Ordered, That they attend immediately.

After the hearing,

Ordered, That they be remanded to prison.

A letter from Adjutant-General Reed, informing that General Howe is arrived at Sandy-Hook with a considerable force, and desiring immediate detachments from the militia of this Colony, to reinforce the army at New-York ; read and filed.

Ordered, That the President write to Mr. Reed and inform him of the situation of our levies, and the orders this Congress have issued.

John Covenhoven, Esq. elected Vice-President.

Agreed that twenty of the members of this Congress be a quorum or body sufficient to transact any business, except such as may respect the formation of the Constitution.

Certain advice being received of the arrival of General Howe at Sandy-Hook, *Ordered,* That all officers who have enlisted men properly armed, under the late ordinance for raising three thousand three hundred men within this colony, proceed immediately with such numbers as they have collected, or can collect, without delay to New-York ; assigning a due proportion of officers to the men that they may be ready, and leaving other officers as occasion may require, to collect the remainder. All officers, paymasters, and others, are required to be diligent in their respective stations ; and all the

friends of liberty throughout the Colony are most earnestly entreated now to exert themselves for the preservation of their country, their lives, liberties and property.

This Congress do likewise earnestly desire all persons to lend arms or other necessities on the present occasion, and they may rest assured of the publick faith to make amends for any loss or damage they may incur.

Ordered, That Cornelius Van Voorst be Lieutenant-Colonel, Richard Dey, first Major, and John Mauritius Gootchins, second Major, of the battalion of foot militia in the county of Bergen.

Ordered, That Charles Pettit, Esquire, be commanded immediately to remove the publick records and papers, in his custody, from the city of Perth-Amboy to the city of Burlington.

Adjourned to three o'clock afternoon.

Met according to adjournment.

The Congress resolved itself into a Committee of the Whole.

The President resumed the chair.

Mr. Sparks, from the Committee of the Whole, reported, that the Committee had come to several resolutions, which he was ready to report.

Resolved, That the Congress will receive the report of the Committee of the Whole on Tuesday next; at which time every member is enjoined to be punctual in his attendance.

Ordered, That Dr. Jonathan Horton be surgeon, and Dr. David Ewen surgeon's mate to the battalion directed to be raised in the counties of Morris and Sussex, under the command of Col. Martin, destined to reinforce the army at New-York.

Congress received a letter from Colonel Taylor of Monmouth, dated ten o'clock in the forenoon of this day, informing that nineteen sail of the enemy's fleet lies at the Hook, and forty-five in sight; read and filed.

Ordered, That the President write to the Continental Congress, enclosing a copy of the above letter, and requesting a supply of powder.

Adjourned till to-morrow morning eight o'clock.

SUNDAY, June 30.

A sufficient number of members not attending, adjourned till to-morrow morning eight o'clock.

MONDAY, July 1.

Met according to adjournment.

The Continental Congress having upon request, furnished this Congress with two tons of powder,

Ordered, That the same be distributed in the following manner,

Morris	400	Somerset	400
Bergen	400	Essex	500
Sussex	400	Monmouth	700
Hunterdon	400	Middlesex	500
Burlington	300		
	<hr/> 1900		<hr/> 2100

Adjourned to three o'clock afternoon.

Met according to adjournment.

Whereas by a regulation of the late Congress, the several committees in this Colony, were authorized and directed to disarm all the non-associators and persons notoriously disabled, within their bounds: *And whereas* it appears that the said regulation hath not been carried into effect in some parts of the Colony; and it being absolutely necessary, in the present dangerous state of publick affairs, when arms are much wanted for the publick defence, that it should be instantly executed: *It is therefore directed and resolved*, That the several Colonels in this Colony do, without delay, proceed to disarm all such persons within their districts, whose religious principles will not permit them to bear arms; and likewise all such as have hitherto refused and still do refuse to bear arms; that the arms so taken be appraised by some indifferent person or persons; that the said Colonels give vouchers for the same, and that the appraisement and receipt be left in the hands of the person disarmed.

John Leonard, Richard Robins, Moses Ivins, Thomas Lewis Woodward and Ezekiel Forman, being brought before Congress, to answer certain charges exhibited against them, did severally and voluntarily execute bonds, in the penalty of *five hundred pounds*, conditioned at all times, and in all things well and faithfully to observe, obey, keep and perform all resolves, orders, ordinances and regulations of the Continental Congress, and of this Provincial Congress, and to be of good behaviour, and in no wise knowingly or willingly to act inimically or unfriendly to the cause of the United Colonies.

Adjourned till to-morrow morning eight o'clock.

TUESDAY, July 2.

Met according to adjournment.

Agreeable to order, the Congress went into the consideration of the report of the Committee of the Whole; and, after some time spent therein, deferred the further consideration thereof till the afternoon.

Resolved, That in the opinion of this Congress the militia of Monmouth county ought, for the present, to remain in their own county, excepting such part thereof as by the late ordinance of this Congress were required to form their proportion of the New-Jersey brigade of three thousand three hundred men.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

Henry Waddell, Esq. Captain of a grenadier company in the militia of Monmouth, having, by petition, prayed that this Congress would accept a resignation of his commission, assigning for reason that he was so frequently afflicted with the gout, that he was rendered incapable of doing the duty of an officer ;

Ordered, That his resignation be accepted.

Ordered, That Colonel Isaac Smith be directed to take charge of Christopher Vaught, John Vaught, Joseph Lee, Frederick Fritz, Thomas Buskirk, Jonathan Hunt, Jacob Hunt, Bartholomew Thatcher, John Brady, John Horpence, Philip Cool, Philip Fanker, James Greames, and William Thatcher, disaffected persons, apprehended by order of Congress, and to confine them in the common gaol of Trenton, and there to keep them under guard until the further order of this Congress, or the Committee of Safety.

The Congress resumed the consideration of the report of the Committee of the Whole ; which, after sundry amendments, was agreed to.

On the question,

Whether the draught of the constitution, formed on the report of the Committee of the Whole, be now confirmed, or be deferred for further consideration ? It was carried for confirming now, as follows :

FOR NOW.

Mr. Camp,	Mr. Clark,	Mr. Sergeant,
Mr. Cook,	Mr. Hugg,	Mr. Shaver,
Mr. Green,	Mr. Ellis,	Mr. Symmes,
Mr. Mehelm,	Mr. Elmer,	Mr. Shinn,
Mr. Joseph Holmes,	Mr. Harris,	Mr. Tallman,
Mr. Mott,	Mr. Bowen,	Mr. Reynolds,
Mr. Josiah Holmes,	Mr. Hand,	Mr. Fennimore,
Mr. Sparks,	Mr. Leaming,	Mr. Shreve.
Mr. Cooper,	Mr. Hathorn,	

FOR DEFERRING.

Mr. Drummond,	Mr. Paterson,	Mr. Hughes,
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Mr. Savage,
Mr. Post,

Mr. Brown,
Mr. Cripps,

Mr. Dick,
Mr. Read.

Adjourned till to-morrow morning, eight o'clock.

WEDNESDAY July 3.

Met according to adjournment.

Ordered, That Joseph Pancoast be commissioned as Captain, Henry Delatush, First Lieutenant, John Kerlin, Ensign, of a company of foot militia in the township of Mansfield, in Burlington county.

Ordered, That Captain Kinney be cited to appear before this Congress, and answer for his conduct in delaying the removal of William Franklin, Esq. to Connecticut.

Whereas, authentick information has been received by this Congress, that a number of disaffected persons have assembled in the county of Monmouth, preparing, by force of arms, to oppose the cause of American freedom, and to join the British troops, for the destruction of this country; and it being highly necessary that immediate measures be taken to subdue these dangerous insurgents: *It is therefore unanimously resolved*, That Colonel Charles Read, Lieutenant-Colonel Samuel Forman, and Major Joseph Haight, do take two hundred of the militia of Burlington county, and two hundred of the militia of Monmouth, and proceed, without delay, in order to quell the aforesaid insurrection, and to disarm and take prisoners whomsoever they shall find assembled with intent to oppose the friends of American freedom; which prisoners, so taken, they shall forthwith bring before this Congress: and the said officers are empowered to take such measures as they shall think necessary for this service.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

On the question,

Whether the draught of the constitution be now printed, or the printing thereof be deferred for a few days, in order to reconsider, in a full house, the propriety of the last clause in the constitution, containing the proviso respecting reconciliation? It was carried as follows:

FOR PRINTING NOW.

Mr. Camp,
Mr. Hardenbergh,
Mr. Joseph Holmes,
Mr. Mott,
Mr. Sparks,
Mr. Coeper,

Mr. Clark,
Mr. Elmer,
Mr. Harris,
Mr. Bowen,
Mr. Leaming,
Mr. Shaver,

Mr. Shinn,
Mr. Tallman,
Mr. Fennimore,
Mr. Shreve,
Mr. Covenhoven.

FOR DEFERRING.

Mr. Frelinghuysen, Mr. Josiah Holmes, Mr. Symmes,
 Mr. Paterson, Mr. Ellis, Mr. Dick.
 Mr. Mehelm, Mr. Sergeant,

Ordered, That one thousand copies of the draught of charter rights be immediately printed and dispersed among the inhabitants of this Colony.

On the application of the Provincial Congress of New-York,

Ordered, That they be empowered to apprehend and secure such of the inhabitants of that Colony, who have removed into this, as they may think necessary for the publick good; and all persons within this Colony are desired to aid and assist in the execution of such orders for that purpose as they may think proper to make.

Ordered, That Stephen Crane, Lewis Ogden, and Caleb Camp, Esquires, be a secret committee to correspond and cooperate with the secret committee of the Provincial Congress of New-York; and that the said committee be vested with power to issue warrants and apprehend and confine such person or persons as they may think necessary for the publick good.

The petition from the town committee of Galloway and Great Egg Harbour, praying that the surplus of the money arising from the sale of goods saved on board a transport belonging to the enemy, which was stranded on the Jersey coast, may be appropriated towards equipping such within their bounds, and the bounds of Little Egg Harbour, as are unable to equip themselves; was read a second time, and ordered to lie on the table.

Adjourned till to-morrow morning, eight o'clock.

THURSDAY, July 4.

Met according to adjournment.

The petition from John Reynolds and George Riche, paper-makers in Germantown, Pennsylvania, setting forth, that they designed to carry on their trade in this Colony, and praying that this Congress would encourage the same; read a second time, and deferred for further consideration.

Resolved, That, in order to prevent a failure of justice, all judges, justices of the peace, sheriffs, coroners, and other inferior officers of the late government within this Colony, proceed in the execution of their several offices, under the authority of the people, until the intended legislature, and the several officers of the new government, be settled and perfected, having respect to the present constitution of New-

Jersey, as by the Congress of late ordained, and the orders of the Continental and Provincial Congresses; and that all actions, suits, and processes be continued, altering only the style and form thereof, according to the terms by the said constitution prescribed, in the further prosecution thereof.

Ordered, That the committee of the county of Gloucester be continued, and they proceed to act in all cases as heretofore directed, until a new election.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

Whereas this Congress has been given to understand that divers persons, in the county of Monmouth, have embodied themselves in opposition to the measures of Congress; and are informed that numbers have expressed their willingness to return to their duty upon assurances of pardon, alledging that they have been seduced and misled by the false and malicious reports of others: *It is therefore declared*, That all such persons as shall without delay return peaceably to their homes, and conform to the orders of Congress, shall be treated with lenity and indulgence; and, upon their good behaviour, shall be restored to the favour of their country; provided that none such as shall appear to have been the leaders and principals in those disorders, who to their other guilt, have added that of seducing the weak and unwary, shall yet be treated according to their demerits.

Adjourned to meet at Trenton, to-morrow morning, ten o'clock.

TRENTON, FRIDAY, July 5, 1776.

Met according to adjournment.

Isaac De Cow, Esquire, having resigned his commission of Second Major of the first regiment of foot militia in the county of Hunterdon, whereof Isaac Smith, Esq. is Colonel;

Ordered, That his resignation be accepted.

Ordered, That Colonel Joseph Borden do provide waggon, and every other necessary, to accommodate the rifle battalion of Pennsylvania, consisting of five hundred men, under the command of Lieutenant-Colonel Broadhead, in their march to Monmouth county, the place of their destination.

Resolved, That the artillery company, under the command of Captain Hugg, be ordered to march immediately with their artillery to New Brunswick; and from thence to such place as General Livingston shall direct.

Letter from John Dennis, Esquire, urging the necessity of removing the officers and other prisoners of war from the publick places in which they are at present; as the soldiers

have been continually plotting with the negroes, discouraging persons from enlisting in the continental service, ridiculing the Congress, &c.

Ordered, That the President immediately write to the Honourable Continental Congress, enclosing a copy of the letter from Mr. Dennis, and requesting their advice in what manner to dispose of the said prisoners of war.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

Ordered, That commissions be made out for the following persons, officers in the battallion ordered to be raised in the counties of Somerset and Hunterdon, destined to reinforce the army at New-York : Richard Stites, captain, Peter Low, first lieutenant, Derick Lane, second lieutenant, John Garish, ensign ; Jeremiah Dunn, first lieutenant, William Cummins, second lieutenant, David Smalley, ensign.

Ordered, That the treasurer for the western division do advance to the wives of William Bertles, Sergeant Willson and Hugh Mac Lean, the sum of twenty-five shillings, proclamation money, per month each ; which sum is to be stopped out of their pay in the hands of captain Brearley.

Petition from the township committee of Piscataway, setting forth, that certain disaffected persons had been taken and carried out of the said township before trial, and praying that this Congress would take some order therein ; was read ; whereupon,

Ordered, That the president write to General Heard on the above subject.

Adjourned till to-morrow morning, eight o'clock.

SATURDAY, July 6.

Met according to adjournment.

Ordered, That Mr. Cooper and Mr. Dick be a committee to prepare the draught of a bill to regulate the ensuing election.

Resolved, That the several persons appointed muster-masters of the levies, directed to be raised by the late ordinance of this Congress, pay the said levies their subsistence money.

Ordered, That the prisoners now in gaol on account of being disaffected to the cause of the United Colonies, be brought totorial on Wednesday next, at three o'clock afternoon.

Resolved, That a number of the militia in the county of Cape-May, not exceeding five and twenty, commanded by one commissioned officer, be raised and stationed at the point of Cape-May.

Ordered, That Mr. Menucan Hughes be commissary and paymaster of the said detachment of militia.

It appearing to be absolutely necessary, in the present dangerous situation of publick affairs, that this Congress continue sitting; and many members having been called away by a regard to their private affairs at this busy season of the year, others by an attention to their families in the neighbourhood of the enemy, and some (we are sorry to say) having wholly neglected their duty to the public, by departing without leave: therefore,

Ordered, That such members as shall attend be empowered to transact any business which may arise and require immediate consideration, whether a sufficient number to constitute a quorum attend or not.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

Ordered, That Mr. Joseph King be adjutant, and Mr. Joshua Gordon regimental quarter-master, of the battalion to be raised in the counties of Sussex and Morris, under the command of Colonel Martin, destined to reinforce the army at New-York.

Congress received a letter from the Honourable President, Hancock, enclosing the following resolve.

“IN CONGRESS, JULY 5, 1776.

“RESOLVED, That the *British* officers and soldiers who are “prisoners, and now in the Colony of New-Jersey, be sent “from thence to the town of York, in the Colony of Penn- “sylvania; and that the Convention, or Committee of Safety, “of New-Jersey, be requested to carry this resolve into im- “mediate execution.

“*By order of Congress,*

“JOHN HANCOCK, *president.*”

Ordered, That the above resolve of the Continental Congress be forthwith carried into immediate execution, and that the necessary steps be immediately taken for that purpose.

Ordered, That the President do take the parole of honour of Mr. John Lawrence of Monmouth county, not to depart the house of Mr. Renssellier Williams; and, if Mr. Lawrence should refuse to give the same, that the President order him to be confined under such guard as he may deem necessary.

Adjourned to nine o'clock on Monday morning.

MONDAY, July 8.

Met according to adjournment.

On application,

Ordered, That the President take the parole of Mr. Lawrence, not to depart the township of Trenton, unless with leave of Congress.

A petition from sundry inhabitants of the township of Alexandria, in Hunterdon county, praying that no member of Congress may hold any post of profit; that all publick accounts may be fairly stated and put in the journals; that the yeas and nays may also be inserted, &c. read, and ordered a second reading.

Ordered, That the Commissioners send forward, without delay, the camp-kettels by them purchased for the use of General Heard's brigade; that the Commissioners divide them to each battalion, according to the directions of General Heard; and that they take receipts of the several regimental Quarter-Masters, for the number of camp-kettles delivered as aforesaid:

Also ordered, That they send forward the lead, flints and canteens, knapsacks, cartridge-paper, brushes and wires, and intrenching tools, by them purchased, to General Livingston's brigade, to be by him disposed of as necessity may require.

Captain Charles Harrison having resigned his commission,
Ordered, That his resignation be accepted.

The Committee appointed to prepare a draught for regulating the ensuing election, made report; which was read, and ordered a second reading.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

Ordered, That Robert Paterson, Esq. be Surgeon's Mate to the battalion directed to be raised in the counties of Burlington, Gloucester, Salem, and Cumberland, under the command of Colonel Silas Newcomb.

The memorial of Dr. Thomas Ewing, Surgeon to the battalion under Colonel Newcomb, setting forth, that not knowing what provision has been made of instruments and medicine for the use of the said battalion, he had laid in, for present use, about twenty pounds worth, relying on the credit of this Congress for the reimbursement of the money; was read, and ordered a second reading.

Ordered, That Dr. Cornelius Baldwin be Surgeon to the battalion directed to be raised in the counties of Hunterdon and Somerset, under the command of Colonel Stephen Hunt.

Adjourned till to-morrow morning eight o'clock.

TUESDAY, July 9.

Met according to adjournment.

Colonel Breese having resigned his commission of Colonel

of the third battalion of militia in the county of Monmouth, assigning for reason the great backwardness of the people; himself so indifferently attended on field days, and so few ready to turn out, hiding themselves and deserting their houses, when called upon to defend the shore;

Ordered, That his resignation be accepted.

Ordered, That Daniel Hendrickson, Esq. be Colonel of the third battalion of foot militia in the county of Monmouth.

Letter from General Livingston, enclosing copies of letters from General Washington and Major Duychinck; read and filed.

Letter from Lewis Ogden Esq. read and filed.

Letter from John Dennis, Esq. read and filed.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

Mr. Symmes and Mr. Sergeant, appointed a Committee to wait on Stephen Skinner, Esq. Captain Kennedy, Mr. Fairholm, Captain Turnbull, Philip Kearney, Michael Kearney, Doctor John Lawrence, Thomas Skinner, Isaac Bonnell, and William Hick, apprehended and removed to this place, pursuant to an order of General Washington, and take their parole, not to depart the town of Trenton, unless with leave of Congress.

The above Committee make report, that they have taken the parole of the above gentlemen, according to order.

Pursuant to order, John Lawrence, Esq. appeared before Congress, and was permitted to return home on his parole, to attend this house whenever called upon.

Adjourned till to-morrow morning eight o'clock.

WEDNESDAY, July 10.

Met according to adjournment.

Letter from Abraham Clark, Esq. informing that four tons of powder were ordered to be sent immediately on continental account for the use of the militia who march out to guard the Province until the flying camp is formed, or for the use of the flying camp, if not expended before they take the field; read, and ordered to be filed.

The petition from Doctor John Hicks, apprehended and removed to this place, pursuant to an order of General Washington, setting forth, that he is a half-pay officer, is desirous of saving his half-pay, as he has a large family to support, that he has not yet signed the association, nor has been ever called upon for that purpose; but seeing the necessity of the Colonies being united, is determined that his half-pay shall not be any restraint upon his future conduct; that he is rea-

dy to sign the association, and to act in every respect agreeable to the resolves of the Honourable Continental Congress, praying that he may be permitted to return, as his affairs are suffering on account of his absence; was read, and ordered a second reading.

Ordered, That the President take the parole of John Richards and Dr. John Hicks, apprehended and sent to this place pursuant to an order of General Washington, not to depart the town of Trenton, unless with leave of this Congress.

The report of the Committee of Trenton, respecting Samuel Henry; was read, and ordered a second reading.

Resolved, That General Livingston be directed to apprehend the person of the late Treasurer, John Smyth, Esq. and remove him, with the publick money in his hands, and such of his books and papers as relate to the treasury, under guard to Trenton.

Adjourned till three o'clock afternoon.

Met according to adjournment.

Ordered, That Samuel Franklin Parker be Major of the battalion raised in the counties of Middlesex and Monmouth, destined to reinforce the army at New-York, in the brigade under General Heard.

Jacob Tice, Ensign in Captain Burrows's company, destined to reinforce the army at New York, having refused to accept his appointment;

Ordered, That Jonathan Holmes be Ensign in the said company.

Ordered, That Mark Thompson, Esq. be Colonel of the first battalion of militia in the county of Sussex.

Pursuant to the order of the day, the Congress went into the examination of witnesses in support of the charges exhibited against certain disaffected persons apprehended in the county of Hunterdon by order of Congress; after hearing several witnesses, the further consideration thereof was deferred till to-morrow morning.

Adjourned till to-morrow morning, eight o'clock.

THURSDAY, July 11.

Met according to adjournment.

A letter from Adjutant-General Reed, informing Congress that he had it in charge from General Washington to acquaint this body, that it being of the utmost importance to prevent any communication or correspondence with the enemy; and having, from many strong circumstances, just reason to suspect sundry persons about Amboy would avail themselves of

their situation to give intelligence and aid to the enemy, he deemed it necessary, for the safety of the publick, that they should be removed to places where they could have no opportunity of carrying such design into execution; submitting it to the consideration of this house, whether some general direction given on this head to the committees, or general officers, or both, is not absolutely necessary; read, and ordered a second reading.

Ordered, That Captain William Gamble be directed to apprehend, and bring to this place, Captain Crow; and that this Congress will defray the necessary expense arising thereon.

Congress resumed the examination of witnesses for and against certain disaffected persons in the county of Hunterdon; and, after some time spent therein, adjourned the further examination till the afternoon.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

Congress resumed the examination of witnesses for and against certain disaffected persons in the county of Hunterdon; and, having gone through the same, deferred the determination thereof until to-morrow.

Adjourned till to-morrow morning, eight o'clock.

FRIDAY, July 12.

Met according to adjournment.

On the recommendation of General Livingston, William Bott, Esq. is appointed Adjutant-General of the militia of New-Jersey.

It appearing that opposition to the draughts was made in Captain Groenendyck's company and George Updike and John Horpence having attended before Congress upon a charge of being concerned, when no witnesses appeared to fix the charge upon any individuals; *It is ordered*, That the township committee of Kingswood, take cognizance of the offence of the people of that company.

Ordered, That Lieutenant Howell, with two privates, be directed to proceed immediately to Burlington, and bring, under guard, Thomas Okeson to Trenton.

Upon the application of Dr. Beaumont to this Congress for reimbursement of his expenses in transporting his baggage, &c. and for payment of his subsistence;

Ordered, That Dr. Beaumont be informed, that his application must be made to the Continental Congress.

The proceedings of the Committee of Amwell, in the county of Hunterdon, respecting a certain William Steel, who has

his residence in the county of Middlesex, but, being in the county of Hunterdon, was apprehended by order of the said Committee; being transmitted to this Congress, and read;

Ordered, That the said Steel be forthwith brought before this house; whereupon the said William Steel being brought before Congress, the proceedings of the Committee were read in his presence, and, being heard in his defence;

Ordered, That he be committed to the common gaol at Trenton.

It being represented to Congress that the levies in Salem county are obstructed for want of arms, when, at the same time, there are in the county a sufficient number of Jersey arms, which are the publick property of the county; therefore,

Ordered, That the people of that county do supply such of the levies, in the present brigade, as have been or may be raised in that county, with the publick arms in their hands, and that the county committee be enjoined to see this order properly executed.

Adjourned to three o'clock, afternoon.

Met pursuant to adjournment.

A letter from Colonel Stephen Hunt, alledging want of health, and resigning his appointment in the brigade under General Heard; read, and his resignation accepted.

The draught of a bill for regulating the ensuing election, was read the second time; and an amendment being moved, that no person be entitled to a seat in the legislative council or assembly, unless he first take the following test, &c.:

I, A B, do swear (or affirm) that I do not hold myself bound to bear allegiance to George the Third, King of Great Britain; that I will not by any means directly or indirectly oppose the measures adopted by this Colony, or the Continental Congress, against the tyranny attempted to be established over these Colonies by the court of Great Britain; and that I do and will bear true allegiance to the government established in this Province under the authority of the people.

On the question,

It was carried in the affirmative as follows, viz.:

YEAS.

Mr. Camp,	Mr. Dickenson,	Mr. Quackenbush,
Mr. Condict,	Mr. Josiah Holmes,	Mr. Shaver,
Mr. Woodhull,	Mr. Learning,	Mr. Van Campen,
Mr. Paterson,	Dr. Bloomfield,	Mr. Sinnickson,
Mr. Hardenbergh,	Mr. Dunn,	Mr. Cripps.
Mr. Linn,	Mr. Sergeant,	

NAYS.

Mr. Drummond,	Mr. Cooper,	Mr. Combs,
Mr. Joseph Holmes,	Mr. Elmer,	Mr. Reynolds,
Mr. Mott,	Mr. Harris,	Mr. Tallman,
Mr. Sparks,	Mr. Buck,	Mr. Shreve.

After some time spent on the said bill, the further consideration thereof was deferred.

Adjourned till to-morrow morning, eight o'clock.

SATURDAY, July 13.

Met according to adjournment.

Ordered, That Mr. Covenhoven, Mr. Mehelm, and Mr. Sergeant, be a Committee to examine into the state of the eastern treasury, and that they report thereon.

A petition of Dr. John Hicks, setting forth, that he is willing, if required, to be bound by oath, to act in such manner as to give the fullest satisfaction; that whenever the militia is called out in defence of the country, he will be ready to give his attendance as a surgeon, or in any other station that may afford the most benefit; and praying that he may be permitted to return to his family; read, and ordered a second reading.

The petition of Cornelius Williamson, a prisoner in the gaol of Trenton; read, and ordered a second reading.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

Upon the question,

Whether any of the persons sent under guard from Amboy, be permitted to return in order to remove their effects to such place as Congress shall appoint for a limited time, upon their parole and security, if required? It was carried in the affirmative, as follows, viz.:

YEAS.

Mr. Drummond,	Mr. Cooper,	Mr. Leaming,
Mr. Dickenson,	Mr. Elmer,	Mr. Quackenbush,
Mr. Vott,	Dr. Bloomfield,	Mr. Sinnickson,
Mr. Josiah Holmes,	Mr. Combs,	Mr. Shreve.

NAYS.

Mr. Condict,	Mr. Sparks,	Mr. Van Campen,
Mr. Woodhull,	Mr. Buck,	Mr. Cripps,
Mr. Covenhoven,	Mr. Sergeant,	Mr. Tallman.
Mr. Joseph Holmes,		

The Congress resumed the consideration of the draught of a bill for regulating the ensuing election; and, after some time spent thereon,

Ordered, That the same be recommitted to Dr. Bloomfield, Mr. Cooper, and Mr. Sergeant.

Ordered, That Mr. Michael Kearney have leave to remove to Burlington, on his parole not to depart from thence further than six miles on the east side of Delaware, till the further order of Congress.

Ordered, That Philip Kearney have leave to remove, on his parole, to the dwelling-house of Mr. Richard Stevens, in the township of Alexandria, and county of Hunterdon, or to Morristown, and not to depart from thence more than six miles without leave of Congress.

Ordered, That Dr. John Lawrence have leave to remove, on his parole, to Morristown, and not to depart from thence, more than six miles, without leave of Congress.

Ordered, That Mr. Johnston Fairholm have leave, on his parole, to reside at Bordentown, or at Mr. Rutherford's, in Hunterdon county, and not to depart from thence, or from within six miles thereof, without leave.

Ordered, That Mr. Bonnel and Mr. Thomas Skinner, have leave, on their parole, to reside at Cranberry-town, and not to depart from thence, or from within six miles thereof, without leave.

Ordered, That Captain Turnbull have leave, on his parole, to remove to Bordentown, and not to depart more than six miles from thence without leave.

Ordered, That Mr. Hick have leave to return home, for the present, giving bond and security for his good behaviour, in the penalty of *five hundred pounds*.

Ordered, That Mr. Stephen Skinner and Captain Kennedy have leave, on their parole, to reside at Morristown, and not to remove more than six miles from thence.

Ordered, That Mr. John Richards have leave, on his parole, and security in the penalty of *one thousand pounds*, to reside on his own farm, and not to depart more than two miles from thence, without leave.

Doctor John Hicks having come into Congress, and taken an oath to the present government ;

Ordered, That he have leave to return home.

Ordered, That the above persons, before they remove to the places of their destination, have leave to remain at home two days in order to settle their business.

Adjourned till Monday morning, eight o'clock.

MONDAY, July 15.

Met pursuant to adjournment.

The Committee appointed to examine into the state of the eastern treasury, made report, that they had waited upon Mr.

Smyth, who had delivered into their hands the sum of *four thousand nine hundred and forty-four pounds nineteen shillings and six pence*, proclamation money; and also a bag sealed, said to contain a quantity of cancelled paper money.

The Committee further report, that they have delivered the above sum of money and bag sealed, to John Stevens, Esq. as ordered by this house, to be by him deposited in the treasury chest of this Colony, for which they have taken his receipt; that Mr. Smyth, the treasurer, had not his accounts with him, but has returned home in order to collect his papers, and the monies outstanding, upon his parole and promise to prepare himself for settlement in a short time, and to attend the further order of this house.

Ordered, That Nehemiah Wade, Esq. be Second Major of the first regiment of foot militia in the county of Essex, whereof Edward Thomas, Esq. is Colonel.

Ordered, That Dr. William Winans be surgeon to the same regiment.

The Committee to whom was re committed the draught of a bill for regulating the ensuing election, made report, which was read, and, after sundry amendments agreed to, and ordered to be engrossed.

Resolved, On the motion of the members of the county of Salem, That the election in that county be by ballot, and that it be held at the court-house in the town of Salem, without removing from place to place, any thing in the ordinance for ascertaining the mode and places of election before contained to the contrary notwithstanding.

Adjourned to three o'clock afternoon.

Met according to adjournment.

The petition of Cornelius Williamson, a disaffected person, now confined in the common gaol of Hunterdon, in pursuance of the adjudication of the Amwell committee, praying that he may have an immediate hearing; read, and ordered to lie on the table.

Adjourned till to-morrow morning, eight o'clock.

TUESDAY, July 16.

Met according to adjournment.

Ordered, That the Deputy-Quartermaster-General Colonel Biddle, and his assistants, be empowered, in case of necessity, to impress within this Colony baggage waggons and horses for the service of the United States of North America, paying a reasonable hire for their service while employed.

A letter from Adjutant-General Reed, informing that Lord Howe is arrived at the Hook, and the necessity of urging on,

with all expedition, the new levies raising in this Colony; read, and ordered to be filed.

A petition from Samuel Wigton, a debtor confined in the gaol of Morris, setting forth, that he was enlisted as a sergeant in Captain Morris's company, in the battalion now under the command of Colonel Winds; that before the said company left the county of Morris he was arrested for debt, and committed to the gaol of Morris; and that he has several sums of money due to him from sundry persons in the battalion aforesaid, which, when recovered, are sufficient to discharge his debts; praying that he may have time for the payment of his debts; that he may be released from imprisonment, and that he may be ordered to join his battalion, or any other this Congress may think proper; and also a testimonial thereunder written, signed by sundry persons, in support of the facts contained in the said petition; read, and ordered to lie on the table.

Ordered, That Dr. William Burnet be added to the number of commissioners for East New-Jersey, and that he have the like authority as is given to the commissioners nominated in the ordinance of the late Congress for striking the sum of *fifty thousand pounds*.

Resolved, That the several township committees throughout this Colony, do immediately exert themselves in procuring lead for the use of the army now engaged in our defence, as the demand for that article is very great and pressing: that to this end they do forthwith collect all the leaden weights from windows and clocks, and all leaden weights of shops, stores and mills, of one pound weight and upwards: also all other lead in and about houses, or other places: and that they forward all the lead which shall by them be so collected to the hands of Alexander Chambers, Abraham Hunt, David Pinkerton and William Tucker of Trenton; Hendrick Fisher of Somerset county, Azariah Dunham of New-Brunswick, John Ross of Woodbridge, Isaac Woodroof Elizabeth-town, and Dr. William Burnet of Newark, or any of them, Commissioners appointed for purchasing arms, &c. And the said Commissioners are directed to pay for all such lead, at the rate of *six pence* proclamation money the pound weight; together with the reasonable expence that may arise in forwarding the same.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Captain Kinney appeared before this house, in consequence of the citation issued by this Congress, for a charge of loitering on the road to Connecticut, with the late Governor Frank-

lin, and now, upon examining into the causes of complaint, it appears to this house that whatever delay arose thereon was inevitable, owing to no misconduct in Captain Kinney, but to accidental causes.

The report of the Committee of Trenton respecting Samuel Henry, was read the second time, and Mr. Henry being duly notified, appeared before Congress; the charges against him were read, several witnesses examined, and the further hearing of the same deferred till to-morrow morning.

Whereas it has been represented to this Congress, that Henry Cuyler, Esq. is so extremely indisposed as to render his removal very dangerous; therefore,

Ordered, That the chairman of the Committee of Newark take the parole, drawn in the usual manner, of Mr. Cuyler, to remain for the present in his dwelling-house at Newark, or within two miles thereof, he giving bond, with security, in the penalty of *one thousand pounds*, for the faithful observance of his parole.

Ordered, That Mr. Sergeant, Mr. Hugg and Mr. Elmer, be a committee to draught an ordinance for punishing traitors and counterfeiters of the Continental and Provincial currencies.

Adjourned till to-morrow morning, eight o'clock.

WEDNESDAY, July 17.

Met according to adjournment.

A petition from sundry ladies at Perth Amboy, setting forth, that they apprehend fatal and melancholy consequences to themselves and families, and to the inhabitants in general, if they should be deprived of the assistance of Dr. Lawrence's skill in his profession, as his attendance is hourly necessary to several patients now much indisposed, who will be left helpless if he be removed, as no other practitioner resides in that place, praying that he may be permitted to remain in Amboy; was read, and ordered a second reading.

Adjourned to two o'clock afternoon.

Met according to adjournment.

The Committee appointed to draught an ordinance for punishing traitors and counterfeiters, made report, which was read, and ordered a second reading.

The petition of George Woodward, setting forth the distressed situation of the wife and children of Anthony Woodward, who has been hunted by bands of armed men, and driven, contrary to his intention, to the king's troops for shelter and protection, praying that he may return to his rank and station in the community; was read, and ordered a second reading.

A letter from the Committee of Newark, requesting that this Congress would procure, or order to be built, four gondolas or row-gallies, mounted with cannon, to ply between the mouths of Passaick and Hackinsack rivers and Perth-Amboy ; also informing Congress that four persons were confined in the gaol of Essex, at the desire of the Secret Committee of New-York, enclosing their examinations, and some affidavits concerning them, and requesting that this Congress would take some order therein ; was read, whereupon,

Ordered, That the said examinations and affidavits be referred to the Secret Committee appointed by this Congress.

The petition from sundry ladies at Perth-Amboy, was read the second time, and ordered that a copy of the following letter, addressed to Mrs. Franklin, one of the subscribers, be signed by the President, and sent :

MADAM: I am ordered by Congress to acquaint you, and through you the other ladies of Amboy, that their petition, in favour of Dr. John Lawrence, has been received and considered.

Could any application have procured a greater indulgence to Dr. Lawrence, you may be assured yours could not have failed of success. But, unhappily, madam, we are placed in such a situation, that motives of commiseration to individuals must give place to the safety of the publick.

As Dr. Lawrence therefore has fallen under the suspicion of our generals, we are under the necessity of abiding by the steps which are taken ; *And are, &c.*

Ordered, That Thomas Okeson be committed to the common gaol of Hunterdon, the keeper whereof is hereby commanded to receive the said Okeson into his custody, and to keep him in close confinement until the further order of this Congress, or the future Legislature of this State.

Congress resumed the consideration of the charges exhibited against Samuel Henry, and came to the following determination :

Ordered, That Samuel Henry be committed to the common gaol of Hunterdon, the keeper whereof is hereby commanded to receive the said Samuel Henry into his custody, and to keep him in close confinement until the further order of this Congress, or future Legislature of this State.

Letter from the Honourable John Hancock, Esq. enclosing resolves of the Continental Congress, requiring an addition of two thousand of the militia of this State to the flying camp ; read, and referred to Mr. Mehelm, Mr. Ellis, and Mr. Paterson.

Whereas, the Honourable Continental Congress have de-

clared the United Colonies, Free and Independent States ; We, the Deputies of New-Jersey, in Provincial Congress assembled, *do resolve and declare*, That we will support the freedom and independence of the said States with our lives and fortunes, and with the whole force of New-Jersey.

Adjourned till eight o'clock to-morrow morning.

THURSDAY, July 18.

Met according to adjournment.

Resolved, That this House from henceforth, instead of the style and title of the Provincial Congress of New-Jersey, do adopt and assume the style and title of the Convention of the State of New-Jersey.

Ordered, That Colonel Isaac Smith be directed to employ some officer of the militia to apprehend Samuel Henry, and deliver him, together with the order of this Convention for his commitment, to the keeper of the common gaol at Trenton.

The report of the committee for draughting an ordinance for punishing traitors, &c.; read a second time, and ordered a third reading.

The Committee to whom were referred the resolves of the Continental Congress, &c. made report, which was read, and ordered a second reading.

The report of the Committee for draughting an ordinance for punishing traitors, &c.; read a third time,

Ordered, That the same be engrossed and do pass.

The report of the committee to whom were referred the resolves of the Continental Congress, &c.; read a second time, and ordered a third reading.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

On the question,

Whether William Ellis, Esq. or Elijah Hand, Esq. be major of the battalion of militia to be raised in the counties of Burlington, Gloucester, and Cumberland ? It was carried as follows, viz.:

FOR W. ELLIS, ESQ.

Mr. Drummond,	Mr. Sparks,	Mr. Van Campen,
Mr. Paterson,	Mr. Clark,	Mr. Sinnickson,
Mr. Hardenbergh,	Mr. Hugg,	Mr. Cripps,
Mr. Mehelm,	Mr. Ellis,	Mr. Tallman,
Mr. Joseph Holmes,	Dr. Bloomfield,	Mr. Shreve.
Mr. Mott,	Mr. Combs,	

FOR E. HAND, ESQ.

Mr. Condict,	Mr. Harris,	Mr. Sergeant,
Mr. Josiah Holmes,	Mr. Buck,	Mr. Post,
Mr. Elmer,	Mr. Bowen,	Mr. Taylor.
Mr. Ayers,		

The report of the committee to whom were referred the resolves of the Continental Congress, read a third time; and, after sundry amendments,

Ordered, unanimously, That the same do pass.

The petition of Ebenezer Cowel, jun. setting forth, that John Barnes, Esq. high sheriff of the county of Hunterdon, had refused to receive and execute two writs issued under the authority of the people, pursuant to the ordinance of this Convention, read; whereupon,

Ordered, That Mr. Barnes immediately attend this House.

Mr. Barnes appeared before this House, and, in answer to the above charge, informed the Convention that he declines acting as sheriff under the authority of the people, and is willing to be superseded; wherefore,

Resolved, That a new Sheriff be appointed.

Adjourned till to-morrow morning, eight o'clock.

FRIDAY, July 19.

Met according to adjournment.

The Committee of Burlington county having called before them Drury Wake, Esq. on a charge of his being inimical to the liberties of this country; and, having made adjudication thereof, the said Drury Wake refused to abide thereby, and appealed to this Convention; the Committee made report of their proceedings, which being read in the presence of the said Wake, and proof being given concerning the same;

Ordered, That the said Drury Wake, Esq. be committed to the common gaol of Salem, the keeper whereof is hereby commanded to receive him into his custody, and keep him in close confinement until the further order of this Convention, or future Legislature of this State.

Ordered, That Colonel Joseph Borden be directed to employ some officer of the militia, with such guard as may be necessary, to deliver Drury Wake, Esq. together with the order of this Convention for his commitment, to the keeper of the common gaol of Salem.

Whereas Drury Wake, Esq. appeared before the county committee of Burlington, on a charge of his being inimical to the liberties of this country; which committee, after hearing proofs and allegations, made an adjudication on said charge,

and the aforesaid Drury Wake appealed from the adjudication of the said committee to this Convention :

Resolved therefore, That the said Drury Wake pay all the costs arising on the above prosecution, including the expense of taking him to the gaol of Salem, to be taxed by the county committee of Burlington.

Mr. William Smith appeared before the Convention upon a charge exhibited against him by the committee of Woodbridge ; and, after hearing and considering the several matters alledged and proved relative to the said charge, this House are of opinion that no offence appears to have been made good against him, and do therefore discharge him from all further attendance on this house, or on said committee, unless some new charge be made appear by which he shall be found guilty of some offence against the State.

Ordered, That Ebenezer Foster, Esq. have leave, on his parole, and security in the sum of *one thousand pounds*, to remove to the publick house of Mr. White, in Barnard's-town, in the county of Somerset, and not to go more than six miles from thence unless with leave of this Convention, or the future Legislature of this State.

Adjourned to three o'clock, afternoon.

Met pursuant to adjournment.

Mr. Conrad Hendricks was brought before this Convention upon a charge transmitted against him by the Committee of the Provincial Congress of New-York ; and, after hearing and considering the several matters alledged against him, this House are of opinion that no offence has been proved against him, and do therefore discharge him from all further attendance on this House, unless some new charge be made appear by which he shall be found guilty of some offence against the State.

Adjourned till to-morrow morning, six o'clock.

SATURDAY, July 20.

Met according to adjournment.

The petition of Samuel Henry, setting forth, that he is desirous of giving every reasonable satisfaction in his power that may obviate any prejudices remaining on the minds of the Convention ; that he is ready to make acknowledgments for any rash expressions that Convention may conceive he has been guilty of, and for every part of his conduct that has been, in their opinion exceptionable ; that it is his fixed resolution so to conduct himself in future, as to afford no further room for just offence ; that he is ready to give any security the Convention may think necessary to require ; and praying that he may be released from his confinement ;

Ordered, That, for the contrition expressed in the above petition, Samuel Henry be discharged from his confinement, and have leave, on his parole, drawn in the usual form, and giving bond, with security, in the sum of *two thousand pounds*, for the faithful performance of his parole, to remove to his mills in Trenton, and there, or within a circle of two miles thereof, continue, and not to depart said bounds unless with leave of this Convention, or the future legislature of this state.

Ordered, That William Tucker, Esq. of Trenton, be sheriff of the county of Hunterdon until a sheriff be chosen for said county at the ensuing election, and that a commission be made out accordingly.

Ordered, That the commanding officer of the Pennsylvania troops now at or near Trenton, be desired to apprehend Joseph Stansbury, a suspected person from Philadelphia, and transmit him safely to the Committee of Inspection of that city, who are requested to prevent his rambling through this state, and prying into our unhappy situation.

Ordered, That Peter Tallman, Esq. chairman of the County Committee of Burlington, be directed to take the parole of the Rev. Jonathan Odell, a person suspected of being inimical to American Liberty; that he confine himself on the east side of Delaware river, within a circle of eight miles from the courthouse in the city of Burlington.

Adjourned to N. Brunswick Monday 3 o'clock, P. M.

MONDAY, July 22.

Met according to adjournment.

Adjourned till to-morrow morning eight o'clock.

TUESDAY, July 23.

Met according to adjournment.

Whereas the Honourable Continental Congress have resolved, "That it be earnestly recommended to the Convention of New Jersey, to cause all the stock on the sea-coast, which they shall apprehend to be in danger of falling into the hands of the enemy, to be immediately removed and driven back into the country to a place of safety." *And whereas* this Convention deem it necessary that the above resolution should be carried into immediate effect, particularly in the county of Monmouth, which is at present most exposed to depredations, *It is therefore unanimously resolved and directed*, That the County Committee of Monmouth proceed, without delay, to remove all the stock on their coast which may be in danger of falling into the hands of the enemy, back into the country, to a place or places of safety.

Convention being informed that Colonel Hendrickson, of Monmouth, was at the door and desired admittance,

Ordered, That he attend.

Colonel Hendrickson informed Convention that the Monmouth coast was exposed extremely to the incursions and depredations of the enemy, and requested that a guard might be stationed along said coast, and maintained at the publick expence.

He further informed Convention that some of his negro slaves had run off, and were on board the enemy's fleet; that he had reason to believe he could recover the said slaves if he were permitted to send a flag, and requesting that, thro' the interference of this house, he might have such permission.

The Convention took the latter requisition under consideration, and agreed unanimously, that the sending of flags comes properly within the department of Brigadier-General-Mercer, and that they could no further interfere on the occasion than to write a letter of introduction to the General in favour of Col. Hendrickson.

The petition of Richard Walker, setting forth, that a legacy of *nine hundred pounds*, sterling, was bequeathed to him by his uncle, who resided in England, to be paid on the decease of his grandmother, who was living in the autumn of the year 1775; that if he should take up arms against the kingdom of Great Britain he should lose the above legacy; and praying that he may be exempted from bearing arms against the said kingdom, on engaging that he will not be concerned in any measures that may prove ruinous to the liberty or interest of the United States; read, and ordered a second reading.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

Ordered, That Mr. Elmer be added to the Committee appointed to examine into the state of the Eastern Treasury.

Ordered, That the Committee appointed to examine into the state of the Eastern Treasury, proceed forthwith to Amboy; that they be and hereby are vested with full power to bring, if they should deem it necessary, Mr. Smyth, the Treasurer, to this place, with the money in the said Treasury; and all the vouchers, documents and other papers relative thereto; and that the said Committee call to their aid such force as they may think necessary to carry this order into effect.

Agreed that the commission of James Mount, Esq. a field-officer in the third battalion of the Monmouth militia, be, and it hereby is revoked.

Ordered, That Oake Wikoff, Esq. be Lieutenant-Colonel,

Denice Denice, Esq. First Major, and Hendrick Van Brunt, Esq. be Second Major of the third battalion of foot militia in the county of Monmouth.

Adjourned till to-morrow morning eight o'clock.

WEDNESDAY, July 24.

Met according to adjournment.

A letter from General Washington, informing that the brigade under General Heard was far from being complete, and urging the necessity of raising and forwarding the new levies destined to reinforce the army at New-York, was read; whereupon,

Ordered, That a letter be written to General Washington, informing that several companies were on their way to join the brigade, and that this Convention will use its utmost efforts to furnish its quota, and to give his excellency such other aid as the weal of the United States may require, and the condition of this state will admit.

Also ordered, That a letter be written to Brigadier General Heard, desiring that he would, without delay, make return to Convention of the number of men in the several companies in his brigade, and by what counties those companies were furnished.

Convention received a letter from the War-Office of the 20th of July, referring to this Convention the propriety of Bryan Lefferty, Esquire, his residing in New-Jersey, and to take his parole and security.

Ordered, That Mr. Lefferty do sign his parole as settled by Congress, and give security in the sum of *one thousand pounds*, to depart hence to the house of the widow Lefferty, in the township of Bedminster, in Somerset county, and there to remain, or within a circle of four miles thereof, until he have leave to the contrary.

Ordered, That Dr. William Winants be surgeon to the battalion directed to be detached from the militia in the counties of Bergen, Essex and Morris, under the command of Colonel Thomas, destined to reinforce the flying camp.

Ordered, That Dr. John Hammell be surgeon's mate to the battalion directed to be raised in the counties of Bergen, Essex and Burlington, whereof Philip Van Cortland, Esq. is Colonel, under the command of General Heard, destined to reinforce the army at New-York.

Ordered, That Doctor Bodo Otto, jun. be surgeon to the battalion directed to be detached from the militia in the counties of Burlington, Gloucester and Cumberland, to be under the command of Colonel Charles Read; destined to reinforce the flying camp.

Ordered, That Mr. Tallman, Dr. Bloomfield and Mr. Freelinghuysen, be a committee to draught a bill for amending the militia ordinance.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Agreeable to certificate of election,

Ordered, That Jacob Vanderventer be captain, and Abraham Terhune first lieutenant, of a company in the first battalion of militia in Middlesex county.

Whereas the independent company in the county of Essex, under the command of captain Drummond, has been greatly reduced by reason of promotion and otherwise: And whereas it is inexpedient to take from other companies in order to add to or keep up the proper number of the said independent company, *It is therefore agreed unanimously*, That the said company be forthwith dissolved, and be incorporated with the other militia in the several companies in the districts in which they respectively reside.

Adjourned till to-morrow morning eight o'clock.

THURSDAY, July 25.

Met according to adjournment.

Ordered, That Dr. Bloomfield, Mr. Drummond, Mr. Quakembush, Mr. Ogden and Mr. Brown, be a committee to consider the propriety of building or purchasing of four gondolas or row galleys, mounted with cannon, to ply between the mouths of Passaick and Hackinsack rivers and Perth-Amboy.

Richard Stites, Esq. Captain of a company in the county of Somerset, resigned his commission, assigning for reason, that he was appointed to raise a company in the brigade under General Heard; and that he had removed out of the township in which his company reside:

Ordered, That his resignation be accepted.

Micajah Dunn, Esq. Lieutenant-Colonel of the first regiment of foot militia in the county of Middlesex, resigned his commission, assigning for reason, that he is so far advanced in life, and of so infirm a state of health, as to render it impossible for him fully to discharge the duty of his station;

Ordered, That his resignation be accepted.

Ordered That Jonathan Deare, Esq. be Lieutenant-Colonel, and John Dunn, Esq. First Major of the first battalion of foot militia in the county of Middlesex.

Convention received a letter from the Honourable John Hancock, Esq. dated the 22d instant, informing that Congress had come to a resolution to increase the flying camp. For this purpose, that the state of New-Jersey is desired to aug-

ment its quota with three battalions of militia in addition to those formerly desired by Congress, and send them, with all possible despatch, to join the flying camp. Whereupon,

Ordered, That a letter be written to Congress, informing that Convention had ordered two thousand of its militia to be detached pursuant to the late requisition of Congress, which are to be renewed monthly.

Adjourned to three o'clock afternoon.

Met according to adjournment.

The Committee appointed to prepare a draught for amending the militia ordinance, made report, which was read, and ordered a second reading.

Ordered, That Captain Peter Gordon be Brigade Major of the brigade under the command of General Heard. and that he continue Captain of the company under his command in the battalion whereof David Forman, Esq. is Colonel.

Adjourned till to-morrow morning nine o'clock.

FRIDAY, July 26.

Met according to adjournment.

The Committee of Inspection for the city of New-Brunswick, having referred the case of Mr. John Hortwick to this Convention, the same was taken under consideration, and it appearing by a testimonial of the said Committee, that the aforesaid John Hortwick has always been esteemed as a good citizen, and a hearty friend to this country; that he is a military associator, and as such has turned out on all occasions when required: and this Convention being of opinion, that he was induced to trade with the Captain of the Asia ship of war to fulfil an oath which had been exacted from him by the said Captain, and to regain the liberty of himself and sons, and not with any intention of abetting the enemies of America; and that he has manifested a becoming degree of contrition for his offence, *It is agreed unanimously*, That the said John Hortwick be forgiven, received into favour, and restored to the good opinion of his countrymen.

Whereas by a resolution of the late Provincial Congress it was, in the election of the County Committee of Bergen, either to receive pay for the arms taken by Captain Meeker, or to have them replaced: *And whereas* the said Committee have made choice of accepting pay for the arms, of which it appears there were seventy-nine stand; therefore, *It is ordered*, That either of the Treasurers of this state pay Johannes Demarest, Esq. Doctor Abraham Van Boskirk, and Jacobus Post, Esq. or any of them, persons authorized by the Committee for that purpose, the sum of three hundred and fifty-five pounds ten shillings, proclamation money, being the

amount of the aforesaid seventy-nine stand of arms at the rate of four pounds ten shillings a piece ; and that the receipt of the above named persons, or any of them, shall be a sufficient voucher for that sum.

The Committee of Inspection for the city of New-Brunswick, having referred the case of John Brown and Jacob Neifies, persons employed by John Hortwick to purchase some provision for the Asia ship of war, to this Convention, the same was considered accordingly ; it appearing that the said John Brown and Jacob Neifies procured the said provision solely with design to assist the said Hortwick, their neighbour, in his distress, and not to aid the enemies of this country ; that they have manifested due contrition for their offence, and requested forgiveness therefor : *It is therefore ordered*, That the said John Brown and Jacob Neifies be forgiven, received into favour, and restored to the good opinion of their countrymen.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

Ordered, That the Committee of the township of Hillsborough, in the county of Somerset, do leave in the hands of Mr. Isaac Brokaw, clockmaker, thirty pounds weight of lead, he having represented to the Convention that he could not carry on his trade without such quantity.

Adjourned till eight o'clock to-morrow morning.

SATURDAY, July 27.

Met according to adjournment.

Agreeable to certificate of election,

Ordered, That David De Groot, Esq. be Captain of a company in the first battalion of foot militia in Somerset county, whereof Stephen Hunt, Esq. is colonel.

The memorial of Jerome Vanderbelt, of the city of New-Brunswick, setting forth, that two of his apprentices had enlisted in the brigade under General Heard ; that he is a hearty friend to his country ; that he cannot well carry on his business without the aid of one of them ; and praying the influence of this house that one of his said apprentices may be returned ; read, and ordered to lie on the table.

Ordered, That Captain John Cook, of Monmouth, be directed to take to his assistance as many of the militia as he shall find necessary, and apprehend any persons whom he has reason to suspect of enlisting, or being enlisted for the British army, and to take them before the county committee of Monmouth, who are required to commit or discharge such accused persons as they shall find necessary.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

Resolved, That General Mercer, in conjunction with the committee of Perth-Amboy, or such of them as can be readily convened, do take immediate steps for removing all such disaffected or suspicious persons in that city, as may, from their situation, be thought dangerous to the public cause; especially such as have relations or connexions among the enemy.

Adjourned to three o'clock, afternoon, on Monday next.

MONDAY, July 29.

Met according to adjournment.

Jacob Wardell, Joseph Wardell, and Peter Wardell, persons apprehended by a detachment of the Monmouth militia, on account of furnishing the the enemy with provision, were brought before the House, and witnesses examined in support of the charge;

Ordered, That the determination thereof be deferred till to-morrow.

Ordered, Upon the complaint and representation of the committee of the western precinct of Somerset county, that Joseph Stockton be committed to the common gaol of Somerset, the keeper whereof is hereby commanded to receive him into his custody, and to keep him in close confinement until the further order of this Convention, or future Legislature of this State.

Adjourned till to-morrow morning, eight o'clock.

TUESDAY, July 30.

Met according to adjournment.

Convention resumed the consideration of the charge against Jacob Wardell, Joseph Wardell, and Peter Wardell; and, after some time spent therein,

Ordered, That Jacob Wardell be committed to the custody of the sheriff of Monmouth, to be by him safely kept until discharged by this Convention, or delivered by due course of law.

Ordered, That Joseph Wardell and Peter Wardell be discharged on giving bond, each with security in the sum of five hundred pounds for their future good behaviour, and for their appearance when called upon by the Convention, or future Legislature of this State. The county committee of Monmouth are directed to take the said bond, and to judge of the security.

Ordered, That Jacob Wardell pay twenty-eight pounds seven shillings and eleven-pence, proclamation money, being the expense of apprehending and bringing him before this

Convention, and conducting him to the sheriff of Monmouth.

The committee to whom was referred the letter from the committee of Newark, respecting the building or purchase of four gondolas or row-gallies, to ply between the mouths of Passaick and Hackinsack rivers and Perth Amboy, made report ; which was read, and ordered a second reading.

Ordered, That Thomas Hutton be employed, at the rate of one dollar a day, to search for lead and sulphur mines, and flint quarries, and make report in three weeks.

Adjourned to three o'clock, afternoon.

Met pursuant to adjournment.

The committee appointed to examine into the state of the eastern treasury, made report, that, including the money by them received at Trenton, as by their former report, they had received in the whole from John Smyth, Esq. the late Treasurer, the sum of six thousand one hundred and one pounds two shillings, proclamation money, besides a bag sealed, said to contain four thousand eight hundred and nineteen pounds five shillings and nine pence, like money, of bills cancelled ; all which they have deposited in the hands of the Honourable John Stevens, Esq. to be by him kept in the Province chest, agreeable to the order of this Convention, as by his receipts appears ; and that by the accounts of Mr. Smyth herewith exhibited, there appears to be due from Mr. Smyth to the State, a further balance of nine hundred and thirty pounds six shillings and six-pence, like money, exclusive of loan office money not yet signed or disposed of.

Ordered, That the said report be received, and the accounts filed.

Adjourned till to-morrow morning, eight o'clock.

WEDNESDAY, July 31.

Met according to adjournment.

Ordered, That Chevalier Jouet have leave, on his parole, drawn in the usual manner, and on giving bond with security, in the sum of one thousand pounds for the faithful performance of his parole, to remove to the dwelling-house of Mr. White, innkeeper, in Barnard's-town, in the county of Somerset, and there, or within a circle of four miles thereof, remain, and not depart the said bounds unless with leave of this Convention, or the future Legislature of this State.

Ordered, That a copy of the following letter be signed by the Vice-President, and sent to Colonel Wetherill :

SIR: The Convention lately entered into certain resolves, requiring the immediate detaching a brigade of two thousand

of the militia of this State to join the flying camp; a copy of which has been transmitted to you.

The present alarming exigencies require the utmost dispatch in this service: we are perfectly at a loss for your reasons in not exerting yourself in making the detachment ordered from your regiment; and we must desire you will explicitly inform us thereof by the bearer.

Letter from the Convention of the State of New York, enclosing the affidavit of Balthazar De Hart, Esq. respecting certain inhabitants of that State, who have either given countenance and aid to our enemies, or have deserted its defence at this dangerous crisis; read and filed.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

This Convention having heard the charges exhibited against Christopher Vaught, John Vaught, Joseph Lee, Thomas Buskirk, Philip Cool, William Thatcher, Christopher Diltz, and Frederick Frittz, disaffected and dangerous persons, apprehended by order of Convention. and considered the several matters alledged and proved relative to the said charges, *Do order and resolve*, That Christopher Vaught be fined in the sum of one hundred pounds, John Vaught in the sum of one hundred pounds, Joseph Lee in the sum of one hundred pounds, Thomas Buskirk in the sum of twelve pounds, Philip Cool in the sum of seventy-two pounds, William Thatcher in the sum of sixty pounds, Christopher Diltz in the sum of ten pounds, and Frederick Frittz in the sum of seventy-three pounds, proclamation money: and that the above persons be committed until they pay, or give security for the payment of the sums in which they are respectively amerced.

Ordered, That the above fines be appropriated towards defraying the costs and expenses which accrued in apprehending and bringing the said disaffected persons to justice.

Adjourned till to-morrow morning, eight o'clock.

THURSDAY, August 1.

Met according to adjournment.

A letter from the Rev. Mr. Odell, praying, for certain reasons, that he may be excused from signing the parole heretofore ordered, and offering a new parole, binding himself not to hold any political correspondence with the enemy, or to furnish them with provisions or intelligence, read; whereupon, Convention having taken the same into consideration,

Ordered, That Mr. Odell sign the original parole sent to the Committee of Burlington.

The report of the committee to whom was referred the let-

ter from the committee of Newark, respecting the building or purchase of gondolas, &c.; read the second time.

Ordered, That the same be referred to the Continental Congress, and that Mr. Ogden and Mr. Sergeant draught a letter for that purpose.

Ordered, That Mr. Camp, Mr. Hand, and Mr. Holme, be a committee to settle the accounts and pay the several detachments of militia of this State, which were lately called out at the requisition of General Washington; that they immediately advertise their appointment; and that they, or any one of them, have power to draw for the money needed, upon the treasurers, who are required to pay the same.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

On motion,

Resolved, That Thomas Skinner and Isaac Bonnell, Esqrs. be released from their present parole, and be entitled to all the rights and immunities of others the good subjects of this State, on taking an oath, the test which is inserted in the election ordinance.

Ordered, That Mr. Linn be added to the committee appointed to settle and pay the accounts of the several detachments of militia, &c.

Resolved. That it be recommended to the county committee of Monmouth, and to the several township committees and colonels of the battalions in the said county, that they assist Captain Wikoff by furnishing him with arms for his levies in General Heard's brigade, as far as they may be able, to expedite the equipment of the said levies. It is further recommended to the said committees and colonels, that Captain Wikoff be furnished with such of the arms and accoutrements taken from non-associators, &c. within their bounds, as may be fit for service, he giving sufficient vouchers on receiving the said arms.

Ordered, That Philip Johnston, Esq. be Colonel, Joseph Phillips, Esq. Lieutenant-Colonel, and Platt Bayles, Major of the battalion raised in the counties of Hunterdon and Somerset, in the brigade under the command of General Heard, destined to reinforce the army at New-York.

Ordered, That the several battalions in the brigade under General Heard, take rank according to the date of the commissions of the colonels; that the several companies in each battalion in said brigade take rank according to the date of the commissions of the captains; and that the rank of all the officers be regulated according to the date of their several commissions.

John Wetherill, Esq. Colonel of the second battalion of foot militia in the county of Middlesex, having informed Mr Combs, a member of this house, that he was not able to perform the duty of his office, owing to his indisposition and advanced age, and was desirous of resigning his commission, i agreeable to Convention;

Ordered, That the said resignation be accepted.

Azariah Dunham, Lieutenant-Colonel of the second battalion of foot militia in the county of Middlesex, having informed a member of this house that, as he is engaged in the office of Commissary, he cannot discharge the duty of his military office, and that he was desirous of resigning his commission, if agreeable to Convention.

Ordered, That his resignation be accepted.

Ordered, That John Neilson, Esq. be Colonel, and John Duychinck, Esq. Lieutenant-Colonel of the second battalion of foot militia in the county of Middlesex.

Adjourned till to-morrow morning eight o'clock.

FRIDAY, August 2.

Met according to adjournment.

Ordered, That John Dunn, Esq. be Major of the battalion detached from the militia of the counties of Middlesex, Monmouth, and Salem, destined to reinforce the flying camp, in the room of Major Duychinck, who was appointed to that command but refused to accept of it.

Ordered, That Robert Hoops, Esq. be Brigade-Major of the militia of this State under Brigadier-General Dickenson.

Ordered, That Reuben Potter be Second Major of the first battalion of foot militia in the county of Middlesex.

Ordered, That Captain John Sherrerd be required to apprehend Peter Cyphers, and bring him forthwith before this Convention in custody.

The draught for amending the militia ordinance was read a second time, and referred to further consideration.

The petition of sundry persons in the first regiment of foot militia in the county of Monmouth, praying that further regulations may be made respecting the militia, &c.; was read, and ordered a second reading.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

Guisebert Guisebertson, Captain of a company in the second battalion of foot militia, in the county of Monmouth, having resigned his commission for reasons mentioned in his letter:

Ordered, That his resignation be accepted.

Resolved, That the several county committees in this State do cause inventories and appraisements to be made of the estates, real as well as personal, of all such persons within their respective bounds as have or shall have absconded from their homes and joined themselves to the enemies of this State, causing all perishable articles to be sold, and the moneys arising therefrom, and all other the goods and estates of such persons, that they keep in safe and secure custody until the further order of this Convention, or the determination of other proper judicature ; *Provided*, That the said committees be empowered to leave any part of the said estates in the hands of the relations or friends of such absconding persons, taking such security as they may think proper for the return thereof, or of the value.

The Convention resumed the consideration of the draught prepared by the committee for amending the militia ordinance, and recommitting it to the same committee.

The petition of sundry persons in the second battalion of Monmouth ; read the second time, and referred to the same committee.

The memorial of Captain Hankinson, of Monmouth, setting forth, that he had raised a company of minute-men, to continue in service for the space of two months, agreeable to the directions of the late Committee of Safety ; that the said company had been called to the Hook on the arrival of General Howe ; and praying that the said company may be paid for such service ; an account of which accompanied the aforesaid memorial ; read, and referred to the Committee of Accounts.

Adjourned till to-morrow morning, eight o'clock.

SATURDAY, August 3.

Met according to adjournment.

Ordered, That the county committee of Essex, proceed to hear and determine the charges exhibited against the four persons apprehended by order of the Secret Committee of the State of New-York, who remained confined in the common gaol of that county on the twenty-fourth day of July last ; and that they be vested with full power to acquit, amerce or imprison said persons.

The committee to whom was referred the draught of an ordinance for amending the militia ordinance, made report ; which was read, and ordered a second reading.

The petition of Ebenezer Foster, now on his parole at Barnard's town, praying that he may be permitted to return to his farm at Woodbridge ; read, and ordered to lie on the table.

The letter of John Duychinck, Esq. appointed lieutenant-colonel of the second battallion of foot militia in the county of Middlesex, enclosing his commission, with a resignation of the same; was read,

Ordered, That his resignation be accepted.

The report of the committee to whom was referred the draught of an ordinance for amending the militia ordinance, read the second time; and after sundry amendments,

On the question,

Whether the same do pass, it was carried as follows, viz.

YEAS.

Mr. Ogden,	Mr. Linn,	Mr. Quackenbush,
Mr. Drake,	Mr. Taylor,	Mr. Brown,
Mr. Woodhull,	Mr. Josiah Holmes,	Mr. Shaver,
Mr. Frelinghuysen,	Mr. E. Clark,	Mr. Shinn,
Mr. Paterson,	Mr. Hand,	Mr. Dick.
Mr. Hardenbergh,	Dr. Bloomfield,	

NAYS.

Mr. Joseph Holmes,	Mr. Elmer,	Mr. Combs,
Mr. Mott,	Mr. Buck,	Mr. John Holmes.
Mr. Sparks,	Mr. Bowen,	

Thomas Skinner and Isaac Bonnel, Esqrs. appeared before Convention and took, on oath, the test inserted in the election ordinance; whereupon,

Ordered, That they be released from their parole, and be entitled to all the rights and immunities of others the good subjects of this state.

Adjourned to Monday afternoon five o'clock.

MONDAY, August 5:

Met according to adjournment.

A sufficient number of members not attending, adjourned to three o'clock to-morrow afternoon.

TUESDAY, August 6.

Met according to adjournment.

Ordered, That Dr. Jacob Jennings be surgeon to the battalion directed to be detached from the militia in the counties of Somerset, Hunterdon, and Sussex, to be under the command of colonel Mark Thompson, destined to reinforce the flying camp.

The representation of the county committee of Monmouth, respecting the removal of the stock on the sea coast, &c. read, and ordered a second reading.

John Carey, Esq. and Mr. Ephraim Llloyd, from the county of Salem, presented a remonstrance to this convention (being duly authorized for that purpose) against the resolution which passed this house the 15th day of July last, directing that the election in that county be by ballot, and that it be held at the courthouse in the town of Salem, without removing from place to place, &c. and requesting that the said resolution be rescinded ; read, and ordered a second reading.

Letter from General Dickenson, read.

Agreeable to certificate of election,

Ordered, That Abraham Johannes Blauvelt be captain, Cornelius D. Blauvelt, first lieutenant, Guillian Bogart, second lieutenant, and John Logier, ensign, of a company of foot militia in the township of Harrington, and county of Bergen.

Letter from the county committee of Bergen, informing that some of the powder lately sent to that county by this Convention was damaged and wholly unfit for use, and praying that this Convention would take direction therein, and order the deficiency to be made up ; read, and ordered a second reading,

Letter from Col. Thomas, enclosing a letter from Mr. Bott, informing that a certain Caleb Hetfield dissuaded the militia from turning out under Col. Thomas, and even offered a bounty to restrain and keep them back ; read, and referred to the county committee of Essex.

Letter from Daniel Johnes, complaining of sundry riotous and disaffected persons in his company, one of whom struck said Johnes ; read, and ordered a second reading.

Adjourned till eight o'clock to-morrow morning.

WEDNESDAY, August 7.

Met according to adjournment.

The representation of the township committee of Woodbridge, setting forth, that certain persons in the third battalion of Philadelphia militia, had insulted and abused Nathaniel Fitz Randolph and Ezekiel Bloomfield, inhabitants of said township, and praying that this Convention would take the said complaint under consideration ; was read, and ordered a second reading.

Letter from Mr. Stockton, enclosing certain resolves of Congress, directing " that this Convention would make such provision for keeping open the communication between the states of New-Jersey and New-York, by way of the ferries over Passaick and Hackinsack rivers, as to them shall appear most effectual ; and that Congress will reimburse the expenses of such service to the state of New-Jersey ; and

recommending to the state of New-Jersey, to order their militia immediately to march and join General Mercer; read and filed.

Letter from General Heard, enclosing return of men in his brigade; read and filed.

Letter from General Mercer; read and filed.

Resolved, That the deputies in Convention be allowed at the rate of six shillings a day for every day they have or shall attend during the continuance of this Convention, to be certified by Mr. Elmer, Dr. Bloomfield, Mr. Hand and Mr. Paterson, or any two of them.

Adjourned to three o'clock afternoon.

Met according to adjournment.

The remonstrance of certain freeholders and others electors in the county of Salem, against the resolution which passed this house on the 15th day of July last, on motion of the deputies of that county, &c. read a second time:

WHEREAS on motion made the 15th day of last month, by the members of the county of Salem, it was resolved, "that the election in that county be by ballot, and that it be held at the courthouse in the town of Salem, without removing from place to place, any thing in the ordinance for ascertaining the mode and places of election before contained to the contrary notwithstanding." And whereas a remonstrance, signed by a great number of the freeholders and others electors of said county, has been presented to this Convention, against the above recited resolution, praying that the same may be rescinded, and that the ensuing election in said county may, in every respect, be carried on in the same manner as ordained by Convention for all the other counties in this state: *It is therefore resolved*, That the election of members to serve in Legislative Council and Assembly of this State for the county of Salem; and also of one sheriff and one or more Coroners for said county, to be held on the second Tuesday of this instant August, be conducted in the same manner, and governed by the same regulations, as are prescribed and ordained by this Convention for all the other counties in this state, any thing in the above recited resolution, which passed on the motion of the deputies from Salem, to the contrary notwithstanding.

Adjourned till Friday morning, nine o'clock.

FRIDAY, August 9.

Met according to adjournment.

A petition from sundry officers of the second battalion of

Middlesex county, praying a division thereof; read, and ordered a second reading.

Ordered, That Mr. Ogden, Mr. Drummond, Mr. Brown, Mr. Camp and Mr. Combs, be a Committee to devise ways and means, and report a plan for keeping open the communication between this state and New-York, by way of the ferries over the rivers Passaick and Hackinsack.

Adjourned to three o'clock afternoon.

Met according to adjournment.

A letter from General Washington of the 8th instant; read, and filed.

A petition of sundry persons in the south ward of New-Brunswick, praying the interposition of this house relative to the choice of officers in a company of militia late commanded by Captain Jacob Pyatt; read, and ordered a second reading.

A petition from sundry persons in Barnard's town, relative to a company of militia; was read,

Ordered, That the same be referred to the County Committee of Somerset.

The petition from sundry officers of the second battalion of Middlesex county, praying a division, &c. read a second time; whereupon,

Ordered, That a third battalion be formed out of the same, to consist of the companies commanded by the captains Artupee, Barr, Stout, Schenck, Scudder, Wetherill and Pyatt.

Ordered, That John Duychinck, Esq. be colonel, Jacob Hyer, Esq. lieutenant-colonel, William Scudder, Esq. first major thereof, and that the second major be appointed on the return of General Heard's brigade.

Mr. Ogden, from the committee appointed to devise ways and means for keeping open the communication between New-Jersey and New-York, by way of the ferries over Passaick and Hackinsack, reported an ordinance for that purpose, which was three times read, and passed.

Adjourned till to-morrow morning, eight o'clock.

SATURDAY, August 10.

Met according to adjournment.

Ordered, That Mr. Ogden and Mr. Dick, be a committee to prepare an ordinance for the immediate detaching of one half of the militia of this State to join the flying camp.

The Board of War and Ordnance having referred the case of Lieutenant Wadman to this Convention, the same was accordingly considered; whereupon,

Ordered, That Lieutenant Wadman sign his parole as settled by Congress, to depart from the city of New-Brunswick

to Bordentown, in the State of New-Jersey, and there, or within six miles thereof in said State, to remain, and not to depart said bounds unless with leave of the Honourable Continental Congress, the Convention, or future Legislature of this State.

The Committee of the western precinct of Somerset county having referred the case of Joseph Stockton to this Convention; and, before the charge was considered, said Stockton having requested time in order to determine whether he should sign the test inserted in the election ordinance,

Ordered, That he have time for a few days to consider thereof, and that in the mean time he return to Hillsborough.

Ordered, That Thomas Jones be Second Lieutenant in Captain Anderson's company in the battalion whereof Silas Newcomb, Esq. is Colonel, in General Heard's brigade; and that he continue Adjutant of the same battalion.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

General Mercer's letter received this day, was read and filed.

The Committee appointed to prepare an ordinance for the immediate detaching one half of the militia, &c. made report; which was read, and ordered a second reading.

Inventories of the estates of Anthony Woodward and William Guisebertson, of Monmouth county, persons who have absconded from their homes, and joined the enemy; were read and filed.

Resolved, That, to prevent desertion, no person or persons belonging to or coming from the army in the State of New-Jersey, be permitted to go over any of the ferries in or travel through said State without a pass, signed either by General Mercer, Colonel Griffin, or Colonel Biddle, and all persons in general, and in particular the members of committees, militia officers, and owners or keepers of ferries, are strictly enjoined to carry this resolution into effect, by apprehending and securing every person belonging to or coming from said army, who shall not have a pass signed as above directed, until he can be reconducted to the army aforesaid.

The draught of a bill for the immediate detaching of one half of the militia to join the flying camp, was read the second time, and ordered to be recommitted to Mr. Ogden, Mr. Sergeant, and Mr. Paterson.

Adjourned till to-morrow morning eight o'clock.

SUNDAY, August 11.

Met according to adjournment.

The Committee to whom was referred the bill for the immediate detaching one half of the militia, &c. made report; and, after sundry amendments, was agreed to unanimously. Adjourned to three o'clock, afternoon.

Met according to adjournment.

Resolved, That no troops in the service of the United States, or of any of them, nor their baggage, ammunition, or their other waggons, shall pay for passing any of the ferries within this State, more than one third part of the ferriage usually paid by such as are not in said service; and, to prevent a misconstruction of this resolve, *It is hereby declared*, That commissaries or other persons supplying the army with provisions, stores, &c. are not intended to be included in said resolve, so as to receive any private benefit from the same.

A letter from the war office of the sixth of August; read and filed.

Adjourned to Thursday, three o'clock.

THURSDAY, August 15.

A sufficient number of members not attending, the Convention did not meet.

FRIDAY, August 16.

The Convention met.

Ordered, That the Committees of the several counties, towns, and districts in this State, do make out lists of the prisoners of war which now are or have been resident within their districts, and transmit the same to this Convention, or the future Legislature of this State, without delay.

Mr. Hardenbergh added to the Committee of Accounts.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

Ordered, That Richard Lott, Esq. be appointed Lieutenant-Colonel of the second battalion of Middlesex.

Ordered, That John Taylor be appointed First Major thereof.

The petition of Captain Philip Van Arsdalen, praying leave to raise a company of light-horse in Somerset county; read, and ordered to lie on the table.

A petition from the officers of the second battalion of Middlesex, praying an addition of Captain Wetherill's company to that battalion; read, and ordered a second reading.

Adjourned till to-morrow morning, eight o'clock.

SATURDAY, August 17.

Met according to adjournment.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

A letter from William Ch. Huston, Captain of a company in the second battalion of foot militia in the county of Somerset, setting forth, that, from his connexion with the college in the absence of Dr. Witherspoon, and other circumstances, he cannot pay the due attention to his company, and begging leave to resign his commission ;

Ordered, That his resignation be accepted.

In pursuance of the recommendation of the Honourable Continental Congress,

Resolved, That all the workmen of this State actually employed in the manufactory of fire-arms be excused from going out with the militia when called upon.

Resolved, unanimously, That the bills of credit emitted by the Honourable Continental Congress be a legal tender within the State of New Jersey, for all sums of money due and owing from one person to another.

Ordered, That Mr. Sergeant revise, correct, and transcribe the Minutes of this Convention for the press, to be inspected, approved, and signed by the President, and that he have the the same compensation as has been allowed to the clerks of Assembly in this State.

Whereas the difference of the several currencies within this State very greatly perplexes many of the good people thereof, and more especially such of the people of the neighbouring States as have come hither for our defence against the common enemy, and gives occasion to great impositions and deceits ;

Resolved unanimously, That all payments and receipts be made in every part of this State in proclamation money of New-Jersey, at seven shillings and six pence the dollar, reckoning the difference between the usual prices heretofore taken in any other currency, and reducing the same to proclamation.

Adjourned till Monday morning, eight o'clock.

MONDAY, August 19.

Met according to adjournment.

Upon the application of Doctor Samuel Bard, for the assistance and encouragement of this State in the erecting of salt-works ;

Resolved unanimously, That this State will, upon good security, lend to the said Doctor Bard a sum of money not exceeding five hundred pounds, for the term of two years, with-

out interest, for the purpose of erecting salt-works within this State.

Resolved unanimously, That this State will receive salt, manufactured by the said Dr. Bard, at one dollar the bushel, in payment of said sum of money ; provided the same be tendered for payment before the expiration of two years after the loan of the money.

Resolved unanimously, That if any of the works so to be raised, shall be destroyed by the enemy, this State will sustain the loss of one half of the money which shall have been appropriated for the purpose of erecting such works, out of the money advanced on loan by this State to the said Doctor Bard.

Resolved unanimously, That the workmen actually employed in the said works, not exceeding ten, be exempt from military duty during the time in which they shall be so employed.

Provided, that the said money be lent upon condition that the works shall be completed within three months of the said loan ; and that the said Doctor Bard be not entitled to receive the bounty heretofore offered on salt.

A petition signed by fifty-six associators in the company of Captain Smith, in the precinct of Upper Alloway's Creek, in the county of Salem, praying, that they may be formed into a distinct company, and be officered by Abner Penton, as Captain, Eaton Haywood, First Lieutenant, Jacob Houseman, Second Lieutenant, and Thomas Smith, Ensign ; was read.

A memorial of the committee of the said precinct was also read, recommending that the prayer of the said petition may be granted ; whereupon,

Ordered, That the prayer of said petition be granted, and that commissions do issue accordingly.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

Whereas Isaac Low, Esq. apprehended on suspicion of being unfriendly to the cause of American freedom, did lately give his parole to the Convention, drawn in the usual manner : And whereas, this Convention are now fully satisfied as to the grounds of such suspicion ;

Ordered, That Mr. Low be released from his parole, restored to his former liberty, and entitled, during his stay in this State to all the rights and immunities of others the good subjects thereof.

Mr. Joseph Stockton having appeared before Convention, and took, on oath, the test inserted in the election ordinance,

Ordered, That the bond Mr. Stockton executed to the committee, be cancelled ; that he be released from his present

confinement, and be entitled to all the rights and immunities of others the good subjects of this State.

Ordered, That Mr. Hardenbergh, Mr. Elmer, Mr. Condict, and Mr. Hand, be a committee to settle the accounts of John Dennis, Esq. the eastern treasurer.

Adjourned till to-morrow morning, nine o'clock.

TUESDAY, August 20.

Met according to adjournment.

The committee appointed to settle the accounts of John Dennis, Esq. made report ; which was read and accepted.

Adjourned to three o'clock, afternoon.

Met according to adjournment.

Ordered, That Mr. Crow do sign his parole, and give bond in the sum of five hundred pounds for the performance thereof, to depart from hence to the town of Mount Holly, in the county of Burlington, there, or within the circle of four miles thereof, to remain until discharged, or otherwise permitted by this Convention.

Resolved, That all persons who have received any publick money of, or are indebted to this Convention, or any Congress or Committee of Safety of this State, do account for the same to the future Legislature of said State, or such person or persons as they shall nominate and appoint.

Thomas Hutton, who was appointed to search for lead and sulphur mines and flint quarries, made report as follows:

That he had not discovered any lead mines, but that he found symptoms thereof, which he produced, on the plantation of Casper Smith, about four miles from Newtown, in Sussex.

He also produced a sample of black lead, which he found at Port Chuck, near the drowned land in Sussex, and thinks a large quantity of black lead may be had at the above place.

He produced several samples of sulphur, which he found on the land of James Young, in the township of Mendham, and county of Morris; imagines great quantities of sulphur may be had there; thinks he could raise it for thirty shillings, or at most forty shillings (the latter including gunpowder) a ton.

Samples of flints which he found on a hill near Colonel Martin's, and the brook called Beaver Run, in Sussex, great quantities whereof may be had there, and they are exceeding promising.

Ordered, That Moses Ivins be fined in the sum of thirty pounds, Richard Robins in the sum of twenty-two pounds, John Leonard in the sum of twenty pounds, Thomas Lewis Woodward in the sum of sixteen pounds, and Ezekiel Forman in the sum of three pounds, proclamation money of the state of New-Jersey.

Adjourned till to-morrow morning, eight o'clock.

WEDNESDAY, August 21.

Met according to adjournment.

Whereas some doubts have arisen whether the several committees in this state will not expire on the meeting of the legislative council and assembly, *It is therefore resolved*, That the said Committees shall continue to execute the duty of their office as heretofore, until otherwise ordered by the future legislature of this state.

Whereas the late ordinance of this Convention directing that all able-bodied men, without exception, between the ages of sixteen and fifty, should be forthwith enrolled, and deemed to be the militia of this state, one half of which were ordered into immediate service, hath not pointed out either the mode of levying the fines payable by such as do not go out in their proper turn; or the use to which the same when levied shall be appropriated :

Resolved therefore, That the said fines shall be recovered by the captains of the companies in which the delinquents are enrolled, in the manner directed by an ordinance of the late Congress, bearing date the 28th of October 1775.

Resolved, That the fines payable by those who have been or shall be enrolled in consequence of the late ordinance of this Convention, passed the eleventh of this instant, be appropriated to such publick use as the future legislature of this state shall direct; and that the fines payable by those formerly enrolled be appropriated as is directed by the resolves of this Convention, bearing date the 3d of this instant.

Resolved. That the Captains shall respectively be accountable for the amount of the fines levied in pursuance of the ordinance aforesaid of the 11th instant, to the future legislature, or to such person or persons as they shall nominate and appoint.

And whereas this Convention have been given to understand that divers persons have been extremely aggrieved by excessive distresses for fines incurred by breach of the several militia ordinances, goods to a great value having been seized for small fines; *therefore resolved*, That all persons who shall hereafter be aggrieved by such excessive distresses, be entitled to recover damages in like manner as for excessive distresses at common law.

The Committee of Accounts made report of sundry articles contained in the draught of an ordinance for the payment of incidental charges; which being read,

Ordered, that the same do pass.

Adjourned to three o'clock afternoon.

Met according to adjournment.

Adjourned without day.

ORDINANCES, &c.

AN ORDINANCE FOR RAISING THREE THOUSAND THREE HUNDRED OF THE MILITIA OF NEW-JERSEY TO REINFORCE THE ARMY AT NEW-YORK.

PASSED JUNE 14, 1776.

WHEREAS the Honourable Continental Congress have resolved, That the Colony of New Jersey be requested immediately to send three thousand three hundred of their militia to reinforce the army at New-York, to be continued in the service until the first day of December next, unless sooner discharged by the Congress: And that the pay of the militia, which by a late resolve of the Continental Congress is Fifty Shillings, proclamation money per month for the privates in all the United Colonies, commence from the day of their marching from home, allowing them one penny, lawful money, per mile, in lieu of rations for travelling expences, and one day's pay for every twenty miles between home and the general rendezvous going and returning. And as troops of the enemy, from the best intelligence, are daily expected to arrive at New-York, this Congress are anxiously desirous to carry the resolutions of the Honourable Continental Congress into immediate effect :

Resolved therefore, That five battalions, consisting of eight companies of seventy-eight non-commissioned officers and privates, be immediately got in readiness and marched to New-York, under the command of a brigadier-general; which battalions shall be raised by a voluntary enlistment, to continue in the service until the first day of December next, unless sooner discharged.

Resolved further, That the said battalions shall be formed as follows: one battalion to consist of three companies from the county of Bergen, and three companies from the county of Essex, and two companies from the county of Burlington.

One battalion to consist of four companies from the county of Middlesex, and four companies from the county of Monmouth.

One battalion to consist of four companies from the county of Morris, and four companies from the county of Sussex.

One battalion to consist of three companies from the county of Somerset, and five companies from the county of Hunterdon.

One battalion to consist of two companies from the county of Burlington, two companies from the county of Cumberland, two companies from the county of Gloucester, and two companies from the county of Salem.

And, in order that proper officers may be immediately ap-

pointed, *Resolved*, That the field officers, with the subalterns in each county, do forthwith assemble, and agree upon one captain, two lieutenants, and one ensign, for each company, to be raised in their respective counties; and that the field-officers appointed to the command of each battalion do appoint an adjutant and quarter-master for the battalion.

Resolved, That each man, at the time of his enlisting, do sign the following enlistment :

I *have this day enlisted myself in the*
company of captain *as a volunteer in the*
battalion commanded by colonel *now raising*
in New-Jersey, to reinforce the army at New York, to continue
in that service until the first day of December next, unless
sooner discharged : and do bind myself to conform in all instances
to the regulations which are or shall be established for the
government of said army.

And it is further resolved, That each man, so entering himself as a volunteer, do furnish himself at his own expense, with a good musket with a bayonet, a cartouch-box, blanket, canteen, and knapsack.

And, in order to expedite the raising of the aforesaid battalions, at a season when the labour of the inhabitants is greatly needed in the country, and to encourage the enlistment of men in this necessary service, *It is further resolved*, That there be allowed and paid as a bounty to each man, who shall voluntarily enlist as aforesaid, and be properly accoutred, the sum of THREE POUNDS, proclamation money, over and above the continental pay, to be paid to him at the time he marches to the general rendezvous.

And it is further resolved; That said forces, when raised, shall not be compelled to march out of this Colony further than the city of New-York, or parts adjacent thereto.

Resolved, That as soon as any company shall be completed, the same shall be mustered in the presence of one of the Commissioners herein after named, who are respectively appointed muster-masters for that purpose ; and upon such muster being had, the said company shall immediately march to the place of general rendezvous, to be appointed by the brigadier-general.

Resolved, That the colonels of said battalions be directed to make return as soon as possible to this Congress, or Committee of Safety, or to the brigadier-general, to be by him laid before the Congress or Committee of Safety, of the number of men enlisted in each county of this Colony in the battalions aforesaid.

Resolved, That Sidney Berry, Benjamin Halsey, Richard Ludlow, Asher Holmes, and Thomas Sinnickson Esquires, be, and they are hereby, appointed commissioners for paying the bounty allowed to each volunteer as aforesaid, which they, or

any of them, are to pay out of the bills of credit lately made current by ordinance of the Congress of this Province ; and shall take proper receipts for all monies by them, or any of them, paid out as a bounty in manner aforesaid, signed by the persons receiving the same ; which receipts, when laid before this or a future Congress, or other future representative body of this colony, to whom they are hereby made accountable, shall discharge the said commissioners, or any of them, of all monies legally paid out as aforesaid ; And that there be allowed, as a compensation to said commissioners for reviewing said men, and paying said bounty, a sum after the rate of one per cent for all monies by them, or any of them, paid out as aforesaid. And the treasurers of this colony, appointed by Congress, and each of them, are hereby required to pay to such commissioners, or any of them, such sum or sums of money as may be necessary for the above purpose.

Resolved, That the commissioners appointed by the late Congress do furnish the aforesaid five battalions with six hundred and sixty camp-kettles, or one camp-kettle for every five men, to be lent to them during this campaign.

Resolved. That it be recommended to the several committees of this colony to be zealous and diligent in assisting the officers to raise and equip the aforesaid forces ; and that those who do not engage in this service be earnestly requested to lend or dispose of their arms and accoutrements to the volunteers who shall enlist.

It is further resolved, That the five battalions above directed to be raised form one brigade, and that a brigadier-general be appointed to command the same.

Resolved unanimously, That Joseph Reed, Esq. be and he is hereby appointed brigadier-general.

Resolved, That the following officers be appointed to the command of the respective battalions, viz : For the battalion to be raised in Bergen, Essex and Burlington, Philip Van Cortland, colonel, David Brearley, lieutenant-colonel, and Richard Dey, major ; for the battalion to be raised in Middlesex and Monmouth, Nathaniel Heard, colonel, David Forman, lieutenant colonel, and Thomas Henderson, major ; for the battalion to be raised in Morris and Sussex, Ephraim Martin, colonel, John Munson, lieutenant colonel, and Cornelius Ludlow, major ; for the battalion to be raised in Somerset and Hunterdon, Stephen Hunt, colonel, Philip Johnson, lieutenant colonel, and Joseph Philips, major ; for the battalion to be raised in Gloucester, Salem, Cumberland, and Burlington, Silas Newcomb, colonel, Bowes Reed, lieutenant-colonel, and major.

Resolved, That Robert Hoops, Esquire, be, and he is hereby appointed brigade-major of the aforesaid brigade.

Resolved, That the militia, which have lately been draughted by order of the Committee of Safety of this province, be, and hereby are at liberty to enlist in the above brigade ; and that no further draughts be made in consequence of said order.

CONSTITUTION

OF

NEW-JERSEY.

PASSED, JULY 2, 1776.

WHEREAS all the constitutional authority, ever possessed by the kings of Great Britain over these colonies, or their other dominions, was, by compact, derived from the people, and held of them for the common interest of the whole society ; allegiance and protection are, in the nature of things, reciprocal ties, each equally depending upon the other, and liable to be dissolved by the others being refused or withdrawn : and whereas George the third, king of Great Britain, has refused protection to the good people of these colonies : and, by assenting to sundry acts of the British parliament, attempted to subject them to the absolute dominion of that body ; and has also made war upon them in the most cruel and unnatural manner, for no other cause than asserting their just rights ; all civil authority under him is necessarily at an end, and a dissolution of government in each colony has consequently taken place.

AND WHEREAS in the present deplorable situation of these colonies, exposed to the fury of a cruel and relentless enemy, some form of government is absolutely necessary, not only for the preservation of good order, but also the more effectually to unite the people, and enable them to exert their whole force in their own necessary defence ; and as the Honourable the Continental Congress, the supreme council of the American colonies, has advised such of the colonies, as have not yet gone into the measure, to adopt for themselves respectively such government as shall best conduce to their own happiness and safety, and the well-being of America in general ; We, the representatives of the colony of New-Jersey, having been elected by all the counties in the freest manner, and in Congress assembled, have, after mature deliberation, agreed upon a set of charter-rights, and the form of a constitution, in manner following, videlicet,

I. THAT the government of this province shall be vested in a governor, legislative council, and general assembly.

II. That the said legislative council and assembly shall be chosen for the first time, on the second Tuesday of August next; the members whereof shall be the same in number and qualifications as is hereinafter mentioned; and shall be and remain vested with all the powers and authority to be held by any future legislative council and assembly of this colony until the second Tuesday in October which will be in the year of our Lord one thousand seven hundred and seventy-seven.

III. THAT on the said second Tuesday in October, yearly and every year for ever (with the privilege of adjourning from day to day as occasion may require) the counties shall severally choose one person to be a member of the legislative council of this colony, who shall be and have been for one whole year next before the election, an inhabitant and freeholder in the county in which he is chosen, and worth at least one thousand pounds, proclamation money, of real and personal estate within the same county: That, at the same time, each county shall also choose three members of assembly; provided that no person shall be entitled to a seat in the said assembly, unless he be and have been for one whole year next before the election, an inhabitant of the county he is to represent, and worth five hundred pounds, proclamation money in real and personal estate in the same county: That on the second Tuesday next after the day of election, the council and assembly shall separately meet; and that the consent of both houses shall be necessary to every law, provided that seven shall be a quorum of the council for doing business; and that no law shall pass, unless there be a majority of all the representatives of each body personally present and agreeing thereto. *Provided always*, That if a majority of the representatives of this province in council and general assembly convened, shall at any time or times hereafter, judge it equitable and proper to add to or diminish the number or proportion of the members of the assembly for any county or counties in this colony, then, and in such case, the same may, on the principles of more equal representation, be lawfully done, any thing in this charter to the contrary notwithstanding; so that the whole number of representatives in assembly shall not at any time be less than thirty-nine.

IV. THAT all the inhabitants of this colony of full age who are worth fifty pounds, proclamation money, clear estate in the same, and have resided within the county in which they claim a vote for twelve months immediately preceding the election, shall be entitled to vote for representatives in council and assembly; and also for all other publick officers that shall be elected by the people of the county at large.

V. THAT the assembly when met, shall have power to

choose a speaker, and other their officers to be judges of the the qualifications and election of their own members ; sit upon their own adjournments ; prepare bills to be passed into laws, and to empower their speaker to convene them, whenever any extraordinary occurrence shall render it necessary.

VI. THAT the council shall also have power to prepare bills to pass into laws, and have other like powers as the assembly, and in all respects be a free and independent branch of the legislature of this Colony ; save only that they shall not prepare or alter any money bill, which shall be the privilege of the assembly ; that the council shall, from time to time, be convened by the governor or vice-president, but must be convened at all times when the assembly sits ; for which purpose the speaker of the house of assembly shall always, immediately after an adjournment, give notice to the governor or vice-president of the time and place to which the house is adjourned.

VII. THAT the council and assembly jointly at their first meeting, after each annual election, shall, by a majority of votes, elect some fit person within the Colony to be a governor for one year, who shall be constant president of the council, and having a casting vote in their proceedings ; and that the council themselves shall choose a vice-president, who shall act as such in the absence of the governor.

VIII. THAT the governor, or, in his absence, the vice-president of the council, shall have the supreme executive power, be chancellor of the Colony, and act as Captain-General and Commander in Chief of all the militia, and other military force in this colony ; and that any three or more of the council shall, at all times, be a privy council to advise the governor in all cases, where he may find it necessary to consult them ; and that the governor be ordinary or surrogate general.

IX. THAT the governor and council (seven whereof shall be a quorum) be the court of appeals in the last resort in all causes of law as heretofore ; and that they possess the power of granting pardons to criminals after condemnation in all cases of treason, felony, or other offences.

X. THAT captains and all other inferior officers of the militia, shall be chosen by the companies in the respective counties ; but field and general officers by the council and assembly.

XI. THAT the council and assembly shall have power to make the great seal of this colony, which shall be kept by the governor, or, in his absence, by the vice-president of the council, to be used by them as occasion may require : and it shall be called The great seal of the colony of New-Jersey.

XII. THAT the judges of the supreme court shall continue

in office for seven years, the judges of the inferior court of common pleas in the several counties, justices of the peace, clerks of the supreme court, clerks of the inferior courts of common pleas, and quarter-sessions, the attorney general and provincial secretary, shall continue in office for five years, and the provincial treasurer shall continue in office for one year; and that they shall be severally appointed by the council and assembly in manner aforesaid, and commissioned by the governor, or in his absence, by the vice-president of the council. *Provided always*, That the said officers severally shall be capable of being re-appointed at the the end of the terms severally before limited; and that any of the said officers shall be liable to be dismissed, when adjudged guilty of misbehaviour by the council on an impeachment of the assembly.

XIII. THAT the inhabitants of each county, qualified to vote as aforesaid, shall, at the time and place of electing their representatives, annually elect one sheriff, and one or more coroners; and that they may re-elect the same person to such offices, until he shall have served three years, but no longer; after which three years shall elapse before the same person is capable of being elected again. When the election is certified to the governor or vice-president, under the hands of six freeholders of the county for which they were elected, they shall be immediately commissioned to serve in their respective offices.

XIV. THAT the townships, at their annual town-meetings for electing other officers, shall choose constables for the districts respectively; and also three or more judicious freeholders of good character to hear and finally determine all appeals relative to unjust assessments in cases of publick taxation; which commissioners of appeal shall for that purpose, sit at some suitable time or times to be by them appointed, and made known to the people by advertisements.

XV. THAT the laws of this colony shall begin in the following style, viz. *Be it enacted by the council and general assembly of this colony, and it is hereby enacted by the authority of the same*: That all commissions, granted by the governor or vice-president, shall run thus—*The colony of New-Jersey, to A B &c. Greeting*: And that all writs shall likewise run in the name of the colony: And that all indictments shall conclude in the following manner, viz. against the peace of this colony, the government, and dignity of the same.

XVI. THAT all criminals shall be admitted to the same privileges of witnesses and counsel, as their prosecutors are or shall be entitled to.

XVII. THAT the estates of such persons as shall destroy their own lives shall not, for that offence be forfeited; but shall

descend in the same manner as they would have done had such persons died in a natural way ; nor shall any article, which may occasion accidentally the death of any one, be henceforth deemed a deodand, or in anywise forfeited on account of such misfortune.

XVIII. THAT no person shall ever within this colony be deprived of the inestimable privilege of worshipping Almighty God in a manner agreeable to the dictates of his own conscience ; nor under any pretence whatsoever compelled to attend any place of worship, contrary to his own faith and judgment ; nor shall any person within this colony ever be obliged to pay tithes, taxes, or any other rates, for the purpose of building or repairing any church, or churches, place or places of worship, or for the maintenance of any minister or ministry, contrary to what he believes to be right, or has deliberately or voluntarily engaged himself to perform.

XIX. THAT there shall be no establishment of any one religious sect in this province in preference to another ; and that no protestant inhabitant of this colony shall be denied the enjoyment of any civil right merely on account of his religious principles ; but that all persons, professing a belief in the faith of any protestant sect, who shall demean themselves peaceably under the government as hereby established, shall be capable of being elected into any office of profit or trust, or being a member of either branch of the legislature, and shall fully and freely enjoy every privilege and immunity enjoyed by others their fellow subjects.

XX. THAT the legislative department of this colony may, as much as possible, be preserved from all suspicion of corruption, none of the judges of the supreme or other courts, sheriffs, or any other person or persons possessed of any post of profit under the government, other than justices of the peace, shall be entitled to a seat in the assembly ; but that, on his being elected and taking his seat, his office or post shall be considered as vacant.

XXI. THAT all the laws of this province, contained in the edition lately published by Mr. Allinson, shall be and remain in full force, until altered by the legislature of this colony (such only excepted as are incompatible with this charter) and shall be, according as heretofore, regarded in all respects by all civil officers, and others, the good people of this province.

XXII. THAT the common law of England, as well as so much of the statute law, as have been heretofore practised in this colony, shall still remain in force, until they shall be altered by a future law of the legislature ; such parts only excepted as are repugnant to the rights and privileges contained in this charter ;

and that the inestimable right of trial by jury shall remain confirmed, as a part of the law of this colony without repeal for ever.

XXIII. THAT every person who shall be elected as aforesaid to be a member of the legislative council or house of assembly, shall, previous to his taking his seat in council or assembly, take the following oath or affirmation, viz : I A B do solemnly declare, that as a member of the legislative council (or assembly, as the case may be) of the colony of New-Jersey, I will not assent to any law, vote or proceeding, which shall appear to me injurious to the publick welfare of said colony, nor that shall annul or repeal that part of the third section in the charter of this colony, which establishes that the elections of members of the legislative council and assembly shall be annual, nor that part of the twenty-second section in said charter respecting the trial by jury, nor that shall annul, repeal or alter any part or parts of the eighteenth or nineteenth sections of the same. And any person or persons, who shall be elected as aforesaid, is hereby empowered to administer to the said members the said oath or affirmation.

Provided always, and it is the true intent and meaning of this Congress, That if a reconciliation between Great Britain and these colonies should take place, and the latter be again taken under the protection and government of the crown of Great Britain, this charter shall be null and void, otherwise to remain firm and inviolable.

ORDINANCE FOR REGULATING THE ENSUING ELECTION.

PASSED JULY 15, 1776.

WHEREAS by the second section of the constitution of this colony, formed by this Congress, there is to be a legislative council and general assembly elected by the good people of this colony, on the second Tuesday in August next; and, pursuant to the same constitution, one sheriff and one or more coroners in each county ought, at the same time, to be elected. AND WHEREAS it was thought proper not to fix or insert in the said constitution either the places or mode of election, or the place where the said council and assembly shall meet, after they are so elected, but leave them to be ascertained by a distinct ordinance of this Congress.

Resolved therefore, That the places of election shall be as follows : In Bergen, at the courthouse in New-Barbadoes ; in Essex, at the courthouse in Newark ; in Middlesex, at the courthouse in New-Brunswick ; in Somerset, at the courthouse at Hillsborough ; in Morris, at the courthouse in Morris-town ; in Monmouth, at the courthouse in Freehold : in Hunterdon, at

the courthouse in Trenton; in Sussex, at the courthouse in Newton; in Burlington, at the courthouse in the city of Burlington; in Gloucester, at the courthouse in the town of Gloucester; in Salem, at the courthouse in the town of Salem; in Cumberland, at the courthouse in Bridge-town; and in Cape-May, at the courthouse in the Middle-Precinct, and that the inhabitants of each county, entitled to vote for representatives in the said council and general assembly, when met at the place of election, shall, between the hours of ten in the morning and one in the afternoon, choose three judicious freeholders to preside as judges of the election; which judges shall take an oath or affirmation before any justice of the peace for the faithful and impartial discharge of their duty; and the said inhabitants shall then proceed to elect such a number of representatives in council and assembly, as, by the said constitution, they are entitled to elect; and also one sheriff, and one or more coroners; adjourning from day to day, and from place to place, (except in the county of Salem) if it shall be thought necessary, pursuant to the ordinance of the late Provincial Congress. And the certificate of the judges, so as aforesaid appointed, together with six good and sufficient freeholders, shall be a sufficient testimonial of the election of any member of council or assembly; the form of which certificate shall be as follows: We do hereby certify, That on the day of the date hereof, A B and C were (or that A was in the certificate for a member of council) duly elected to represent the county of _____ in the general assembly of this colony (or legislative council, as the case may require) to be held at Princeton on the 27th of this instant. Witness our hands and seals this _____ day of August 1776. *Provided always,* That

no person or persons shall be entitled to a seat in council or assembly unless he or they so elected shall have first taken the following oath or affirmation, to wit, I A B do swear (or affirm) that I do not hold myself bound to bear allegiance to George the third king of Great Britain; that I will not by any means directly or indirectly oppose the measures adopted by this colony or the Continental Congress against the tyranny attempted to be established over these colonies by the court of Great-Britain; and that I do and will bear true allegiance to the government established in this colony under the authority of the people.

And as it is highly unreasonable, that the enemies of America should be admitted to take an active part in our publick measures, no person or persons shall be admitted to vote at the said election, unless he first take the same oath or affirmation if thereunto required, by any one of the judges or inspectors of the said election; which oath or affirmation any one of the judges aforesaid shall be empowered to tender and administer to any or either of the said electors.

And that each person, who shall be named as a candidate by any inhabitant entitled to vote, shall be admitted to appoint one inspector and one clerk; which clerks, when so appointed, shall be sworn or affirmed in manner aforesaid truly and impartially to take the votes and set down the name and place of abode of each elector, and to poll no voter, who is not attested, if required so to be by any one or more of the judges or inspectors.

Provided always, That no sheriff or coroner shall be empowered to act in his office, until he shall be commissioned by the future governor or vice-president of the colony, and shall be further qualified in such manner, as the future legislature of this colony shall direct and appoint.

And it is further resolved, That the legislative council and general assembly, when so elected, shall, for the first time, meet at Princeton.

AN ORDINANCE FOR PUNISHING TREASON AND COUNTERFEITING.

Passed July 18, 1776.

WHEREAS it is necessary in these times of danger, that crimes should receive their due punishment; and the safety of the people more especially requires, that all persons, who shall be found so wicked as to desire the destruction of good government, or to aid and assist the avowed enemies of the state, be punished with death;

Therefore be it resolved and ordained by this Convention, and it is resolved and ordained by the authority of the same, That all persons abiding within this state of New-Jersey, and deriving protection from the laws thereof, do owe allegiance to the government of this state as of late established on the authority of the people, and are to be deemed as members of this state; and that all persons passing through, visiting, or making a temporary stay in this state, being entitled to the protection of the law during such passage, visitation or temporary stay, during the same time owe allegiance to this government.

And be it further resolved and ordained, That all and every person or persons, members of, or owing allegiance to this government, as before described, who, from and after the date hereof, shall levy war against this state within the same, or be adherent to the king of Great-Britain, or others the enemies of this state within the same, or to the enemies of the United States of North America, giving to him or them aid or comfort, shall be adjudged guilty of high treason, and suf-

fer the pains and penalties thereof, in like manner as by the ancient laws of this state, he or they should have suffered in cases of high treason.

And be it further resolved and ordained, That all and every person or persons, who, from and after the date hereof, shall be found guilty of reviling the government of this state, as by this Convention established, or of other seditious speeches or practices, shall be punished in like manner as by the former laws of this state such person or persons might or ought to have been punished for such seditious speeches and practices against the government then in being.

And be it further resolved and ordained, That all and every person or persons, who, from and after the date hereof, shall be found guilty of counterfeiting or altering the continental bills of credit, the bills of credit issued by the late Provincial Congress of this state, or the assemblies, conventions or congresses of any of the United States of North America, or uttering the same knowing them to be counterfeit or altered, shall be adjudged felons, and be punished with death, in like manner as persons found guilty of counterfeiting or knowingly altering the former bills of credit of this state might or should have been.

Provided always, That no person or persons shall suffer death, or other pains or penalties, for any the offences aforesaid, until he or they shall have been first found guilty of the same offence or offences whereof he or they shall be charged and accused in a due course of law, and by the verdict of a jury.

Provided also, That nothing in this ordinance contained shall be construed to divest any committee of the power they now possess of examining and committing any offenders, so that they do not proceed to the infliction of punishments for any the offences in this ordinance contained, but leave the same to be determined in due course of law in manner aforesaid.

AN ORDINANCE FOR DETACHING TWO THOUSAND OF THE
MILITIA.

Passed July 18, 1776.

WHEREAS the Honourable Continental Congress have resolved, “ That General Washington be desired to call to his
“ assistance two thousand of the men who have marched into
“ New-Jersey to form the flying camp, and that the conven-
“ tion of New-Jersey be requested immediately to supply
“ their places with an equal number of the militia of that

"state." AND WHEREAS the situation of New-York, the vicinity of New-Jersey to the enemy, and, above all, the arrival of Lord Howe, who, it is probable, will speedily make some decisive movement, render it absolutely necessary, that the most immediate and effectual steps be taken to guard against the incursions of the British troops, and to strengthen the army of the United States:

Resolved therefore unanimously, That two thousand of the militia of this state be immediately detached to supply the place of the like number taken from the flying camp in New-Jersey, and ordered to New-York.

Resolved, That said two thousand militia compose four battalions, consisting of thirty companies of sixty-four non-commissioned officers and privates, under the command of a brigadier-general.

Resolved, That the said militia continue in service for the space of one calendar month, computing from the time of their joining the flying camp, unless sooner discharged; that they have the same pay, rations and allowance, as the brigade under General Heard are entitled to receive from the Continental Congress, computing from the time of their marching to the place of destination; and that they conform in all instances to the regulations which are or shall be made for the government of said forces.

Resolved, That the said battalions shall be formed as follows: one battalion to consist of two companies from the county of Bergen, three companies from the county of Essex, and two companies from the county of Morris.

One battalion to consist of two companies from the county of Somerset, two companies from the county of Sussex, and four companies from the county of Hunterdon.

One battalion to consist of three companies from the county of Middlesex, three companies from the county of Monmouth, (whereof Captain Stillwell's company is to be one) and two companies from the county of Salem.

One battalion to consist of three companies from the county of Burlington, three companies from the county of Gloucester, and one company from the county of Cumberland.

And, in order that proper officers may be immediately appointed, *Resolved,* That the field-officers, with the captains and subalterns in each county, do forthwith assemble, and agree upon one captain, one lieutenant, and one ensign, for each company, to be raised in their respective counties; and that the field-officers appointed to the command of each battalion do appoint an adjutant and quarter-master for the battalion.

Resolved, That each man come equipped with a good musket with a bayonet, (if the latter can be procured) a tomahawk, a cartouch-box, blanket, canteen and knapsack.

Resolved, That the colonels of said battalions be directed to make return as soon as possible to this convention, or to the brigadier-general, to be by him laid before the convention, of the number of men which turned out in each county of this state in the battalions aforesaid.

Resolved, That the four battalions above directed to be raised, form one brigade.

Resolved, That the following officers be appointed to the command of the respective battalions: viz. For the battalion to be raised in Bergen, Essex and Morris, Edward Thomas, colonel, Ellis Cook, lieutenant-colonel, Maurice Goatscius, major; for the battalion to be raised in the counties of Somerset, Sussex and Hunterdon, Mark Thompson, colonel, Abraham Bonnel, lieutenant-colonel, and Enos Kelsey, major; for the battalion to be raised in the counties of Middlesex, Monmouth, and Salem, George Taylor, colonel, Whitton Cripps, lieutenant-colonel, and John Duychinck, major; and for the battalion to be raised in the counties of Burlington, Gloucester and Cumberland, Charles Read, colonel, Josiah Hillman, lieutenant-colonel, and William Ellis, major.

Resolved, That any of the said two thousand militia, while in service, be at liberty to enlist in the brigade under the command of General Heard, and, on such enlistment, shall be entitled to the bounty of Three Pounds, agreeable to the late ordinance of the Congress.

And whereas camp-kettles are extremely scarce, and indeed impossible to be procured, *Therefore resolved*, That it be recommended to the said militia to bring with them a sufficient number of kettles; and for this purpose it is further recommended, that every company be divided into lots, six men in a lot, and that each lot furnish itself with a kettle. And if said kettles, or any of them, should happen to be taken by the enemy, or endamaged or destroyed in the service, this state will make the owners full compensation for such injury or loss.

The zeal, alacrity, and spirit, which the inhabitants of New-Jersey have manifested during the present most important contest for freedom, is a happy presage, as well as the strongest assurance, that this requisition of their representatives will be carried into instant execution; and the rather so, as the brigade, now directed to be raised, is particularly destined to guard this State. We flatter ourselves that it is almost useless to recommend the utmost dispatch, as the ene-

my is at hand, and the danger pressing and great. The vicinity of a mortal foe, whose avowed design is to reduce us to the most abject state of vassalage, is surely a call sufficient for freemen. Our brethren of Pennsylvania pour out in thousands : may New-Jersey keep the illustrious example in view, and evince to the world, that the militia of this State are equally zealous in the glorious cause of American freedom! Remember, the hour is approaching, which will, in all human probability, decide the fate of America—which will either ensure your title to the rank of freemen, or debase you to the lowest class of slaves. Life, liberty, and property, all await the issue of the present struggle. Arise, then, and exert yourselves!

AN ORDINANCE FOR KEEPING OPEN THE COMMUNICATION
BETWEEN NEW-JERSEY AND NEW-YORK BY WAY OF THE
FERRIES OVER PASSAICK AND HACKINSACK RIVERS.

Passed August 9, 1776.

THE Convention having received information that the ferries over Passaick and Hackinsack rivers, between Newark and New-York, are neither supplied by the proprietors thereof or their tenants with such a number of scows and proper boats as are requisite in our present alarming situation, nor duly attended. And whereas, it is of great importance that the passing and repassing between this state and New York, while the enemy is at our door, should be put on the most convenient footing; and the said proprietors and tenants, notwithstanding repeated applications, having neglected the necessary provision for the aforesaid purposes;

It is therefore resolved, ordained, and directed, That the management and direction of said ferries be taken out of the hands of the said proprietors, and that Messieurs William Camp and Joseph Hedden, junior, be, and they are hereby, appointed commissioners to take into their hands the possession, sole management, and direction of said ferries, and hold the same for the purposes aforesaid, until the first day of December next, unless sooner discharged from this service by the Legislature of this State. And they, or either of them, are hereby empowered and required to provide at least four scows for the ferries over each of said rivers, and to employ a sufficient number of hands to ply and attend the same; and also to provide ropes to be stretched across the said rivers, and all such articles as they shall judge expedient for the service aforesaid.

And it is further resolved and directed, That no troops in the service of the United States, or of any of them, nor their

baggage, ammunition, or their other waggons, carriages, or horses, shall pay more than one third part of the ferriage paid by such as are not in said service; and, to prevent a misconstruction of this resolve, *It is hereby declared*, That commissaries or other persons supplying the army by contract with provisions, stores, &c. are not intended to be either included in, or to receive any private benefit from the said resolve.

And it is further resolved and directed, That the said commissioners keep an exact account as well of the expences and disbursements, as of the moneys they shall receive for ferriages. And the said commissioners, or either of them, are hereby authorised to draw orders on either of the treasurers of this state for such sums of money as shall be necessary for the disbursements aforesaid, and his or their receipts thereof shall be sufficient vouchers to indemnify the said treasurers, their heirs, executors and administrators for the payment of said orders; and, at the expiration of the said term, the said accounts of disbursements and moneys received for ferriage by the commissioners, shall be submitted to the examination of the said proprietors, who shall and may then choose, either to accept of the profits arising from the said ferries while in the hands of said commissioners, after paying thereout such sum for said commissioners attendance on the business aforesaid, as by the representatives of this state shall be adjudged, or be paid a reasonable rent for the ferries during the time aforesaid.

AN ORDINANCE FOR DETACHING ONE HALF OF THE MILITIA.

PASSED, AUGUST 11, 1776.

THE Convention viewing with serious concern the present alarming situation of this and their sister states, that on a prudent use of the present moment depend their lives, their liberty and happiness, think it their indispensable duty to put the militia on such a footing, that their whole force may be most advantageously exerted; and to call out the one half into immediate service, to be relieved by the other monthly.

Be it therefore resolved, ordained and directed, That all able-bodied men, without exception, in this state, between the ages of sixteen and fifty. be immediately enrolled by the captains of the militia, in whose districts they live, into their several companies, and be called, and deemed to be, in construction of this Ordinance, the militia of this state, and to be in that regiment to which the company they are enrolled in belongs; and that the said militia be formed into two divisions in manner following, *to wit*, orders shall be immediately issued by the brigadiers-general to the several colonels or com-

manding officers of every regiment and battalion within this State to call together without delay all that are directed as aforesaid to be enrolled in their several companies; and in those regiments or battalions where one half will not turn out volunteers to serve in the first division, that the divisions be determined by lot.

That the first division be immediately equipped with arms and every necessary accoutrement that can be obtained, and four days' provision, and march with all dispatch to join the flying camp in this State. And, to the end that the several divisions may be properly formed and officered, *It is hereby directed*, That the battalions of the first division shall be formed as follows, to wit: one battalion from the regiments or battalions whereof Philip Van Cortland and Edward Thomas, Esquires, are colonels; another battalion from the regiment whereof Theunis Dey, Esquire, is colonel; another battalion from the battalions whereof Jacob Ford and Jacob Drake, Esquires, are colonels; another battalion from the two regiments and one battalion whereof Mark Thompson, Ephraim Martin, and John Cleave Symmes, Esquires, are colonels; another battalion from the two battalions whereof Stephen Hunt and Abraham Quick, Esquires, are colonels; another battalion from the battalions whereof George Taylor, David Brearley, and Daniel Hendrickson, Esquires, are colonels; another battalion from the battalions whereof Jonathan Deare, Esquire, is lieutenant colonel, and John Neilson and John Duykinck, Esquires, are colonels; another battalion from the battalions whereof Isaac Smith and David Chambers, Esqrs. are colonels; another battalion from the battalions whereof Joseph Beavers and John Mehelm, Esquires, are colonels; another battalion from the battalions whereof Joseph Borden and Charles Read, Esquires, are colonels; another battalion from the battalions whereof Jospeh Ellis and Richard Somers, Esquires, are colonels, and Samuel Tonkin, Esquire, is lieutenant-colonel; another battalion from the battalions whereof Samuel Dick and John Holme, Esquires, are colonels; and another battalion from the battalions whereof Silas Newcomb and David Potter, Esquires, are colonels.

That the field and other officers of every two regiments or battalions, from whence by division a battalion is to be formed as aforesaid, meet together as soon as possible; and the officers to command each division shall be determined as follows: one of the regiments or battalions shall furnish a colonel, the other a lieutenant-colonel, and so alternately the majors and other officers: and if it cannot readily be agreed by the said officers, which regiment or battalion shall furnish the colonel, or other field officer for the first division, the same

shall be determined by lot ; and wheresoever there are a greater number of companies in one than in the other of the said regiments or battalions from whence one is to formed as aforesaid, if the captains and subalterns in that regiment or battalion containing the greatest number of companies do not agree among themselves who shall serve in the first division, the same shall be determined by lot.

That in the county where there is but one regiment, either the colonel and one of the majors, or the lieutenant-colonel and the other major go out with the first division ; and if not agreed on among themselves which of them shall go in the first division, the same shall be determined by lot ; and wheresoever a battalion is to be formed out of three regiments or battalions, the field officers shall go out in rotation.

That the battalions for the second division shall be formed in like manner as those of the first division, to wit : each of the remaining half parts of such regiments or battalions out of which a battalion is above directed to be formed for the first division, shall form a battalion for the second division.

That the first division shall continue in service for and during the term of one month, to be computed from the time of joining the flying camp ; and then, unless sooner discharged, to be relieved by the second division, and so alternately every month, until orders to the contrary shall be issued by the Legislature, the commander-in-chief, or one of the brigadiers-general of this State.

That to the end that every man of the first division may be completely equipped as far as possible, the several colonels or commanding officers of each regiment or battalion of the militia are hereby directed to take from the militia of the second division of their respective regiments or battalions a sufficient number of their best arms, and equip those of the first division, giving receipts and taking just appraisements ; and, when relieved by the second division, those of the first shall redeliver the same to them ; and also such numbers of their own arms as shall be needed to be taken, and appraised in the manner aforesaid ; and the same arms so at any time lent or taken, if lost or damaged in the service, shall be made good by this State.

That every private shall and may have the liberty of timely providing an able-bodied man to serve in his stead, to be approved by the captain of the company in which he is to serve.

That every officer refusing to serve in his turn shall be cashiered and reduced into the ranks, and shall be fined in manner following : a colonel twenty pounds ; a lieutenant-colonel fifteen pounds ; a major twelve pounds ; a captain

eight pounds ; a lieutenant, ensign, or adjutant, six pounds ; a non-commissioned officer three pounds ; and every private refusing to serve in his turn as aforesaid, shall be fined three pounds.

That the pay of the officers and privates, to be computed from the time of their marching to join the flying camp, shall be, in all respects, the same as those in the continental service.

And whereas the principles of equity and humanity require that a proper compensation and provision be made for the families of all such as may be killed or wounded in the service ; the Convention pledge the faith of this State, that an adequate provision for the purpose aforesaid shall be made in such manner, as that an equitable share of the burden shall fall upon those who do not go out with one or other of said divisions on their tour of service ; it being clearly the opinion of the Convention, that the fines above mentioned to be paid by those who do not go out, being but a small share of property, are not equivalent, nor can with any degree of reason be put in competition with the risk of lives and limbs of those who go into the service ; and also upon persons of property above the age of fifty, who are neither required to do duty nor pay any fine.

In this interesting situation—viewing on the one hand—an active, inveterate, and implacable enemy, increasing fast in strength, daily receiving large reinforcements, and industriously preparing to strike some decisive blow : on the other—a considerable part of the inhabitants supinely slumbering on the brink of ruin—and moved with affecting apprehensions, the Convention think it incumbent upon them to warn their constituents of the impending danger.—On you, our friends and brethren, it depends, this day, to determine—Whether you, your wives, your children, and millions of your descendants, yet unborn, shall wear the galling, the ignominious yoke of slavery ; or nobly inherit the generous, the inestimable blessings of freedom.—The alternative is before you—can you hesitate in your choice ? can you doubt which to prefer ? Say !—will you be slaves ? Will you toil and labour and glean together a little property, merely that it may be at the disposal of a relentless and rapacious conqueror ?—Will you, of choice, become hewers of wood and drawers of water ? Impossible ! You cannot be so amazingly degenerate as to lick the hand that is raised to shed your blood !—Nature and nature's God have made you free !—Liberty is the birth-right of Americans ! the gift is of heaven ! and the instant it is forced from you, you take leave of every thing valuable on earth !—Your happiness or misery, virtuous independence

or indignant servitude, hang trembling in the balance!—Happily, we know we can anticipate your virtuous choice—With confident satisfaction we are assured, that not a moment will delay your important decision—that you cannot feel hesitation, whether you will tamely and degenerately bend your necks to the irretrievable wretchedness of slavery—or by your instant and animated exertions enjoy the fair inheritance of heaven-born freedom, and transmit it unimpaired to your posterity.

AN ORDINANCE TO PROVIDE FOR THE PAYMENT OF INCIDENTAL CHARGES.

Passed August 21, 1776.

WHEREAS it is necessary to provide for the payment of such incidental charges as have accrued during the sittings of of this convention.

It is therefore resolved and directed, That there be paid by either of the treasurers to the president and each of the members of this Convention the sum of six shillings per diem for every day they have or shall attend during the continuance of this Convention, to be certified by Mr. Elmer, Dr. Bloomfield, Mr. Patterson, and Mr. Hand, or any two of them.

To the secretary of this Convention the sum of fourteen shillings per diem for each day he hath or shall attend this Convention, to be certified as aforesaid.

To lieutenant-colonel Bowes Read, the sum of fifty-one pounds two shillings and ten-pence, in full of his account for himself and guard for William Franklin, Esq. while a prisoner in Burlington, and on his way to Princeton; and the guard's pay for six nights and two days while on said service.

To colonel Charles Read and major Haight the sum of eighty-seven pounds seven shilling and ten pence, in full for the pay and subsistence for themselves, officers and privates, on their first expedition to Monmouth.

To lieutenant-colonel Ellis Cook five pounds eighteen shillings and seven-pence, York money, in full for six days wages and subsistence, and cash paid for ferriage of one hundred and fifty men of his detachment.

To Joseph Hugg, Esquire, three pounds five shillings and six-pence, in full of his account for transporting two tons and four pounds of powder, expense of loading, storing, &c.

To John Denis, Esquire, twenty-five shillings, in full of his account for paper furnished for the Convention.

To Daniel Baillergeau, door-keeper, for his attending four-

pp. 97-100 water



